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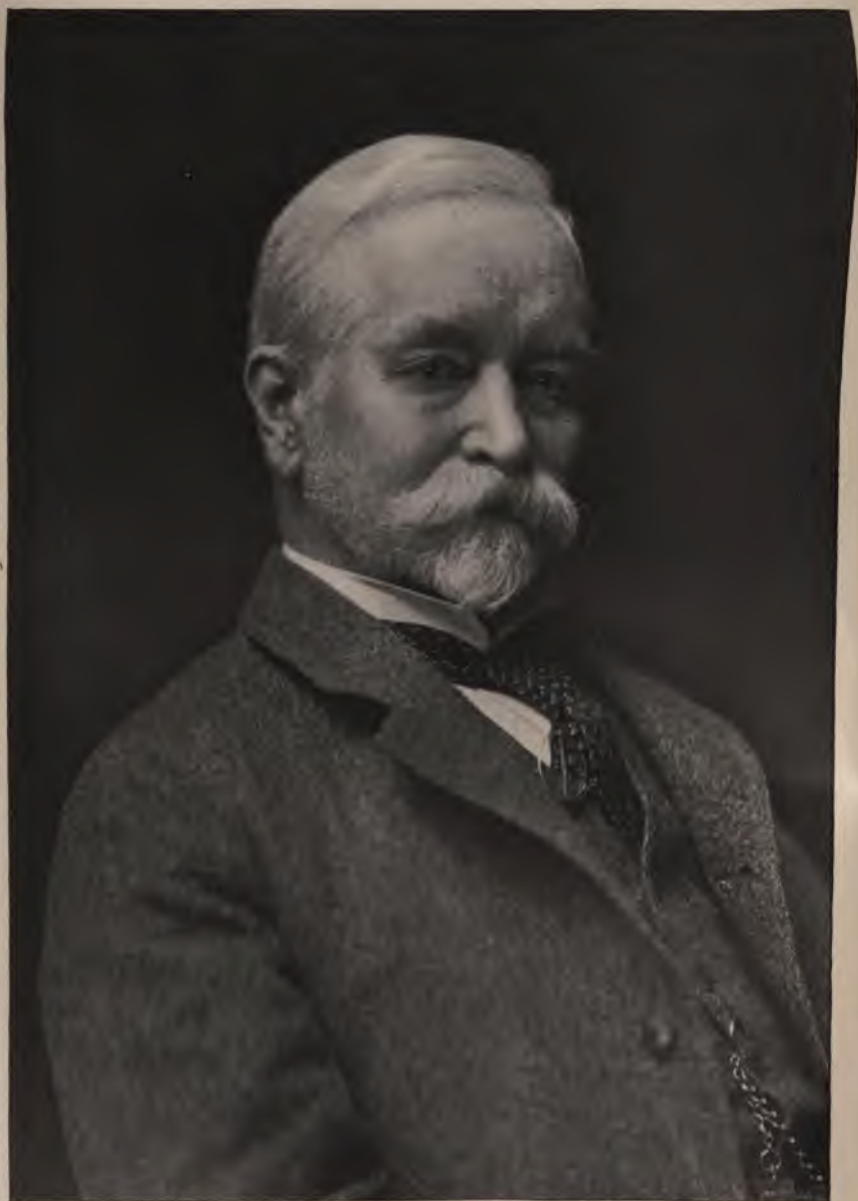
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CHARLTON T. LEWIS, PH. D., LL.D., LATE PRESIDENT OF THE PRISON ASSOCIATION
OF NEW YORK.

FIFTY-NINTH ANNUAL REPORT

OF THE

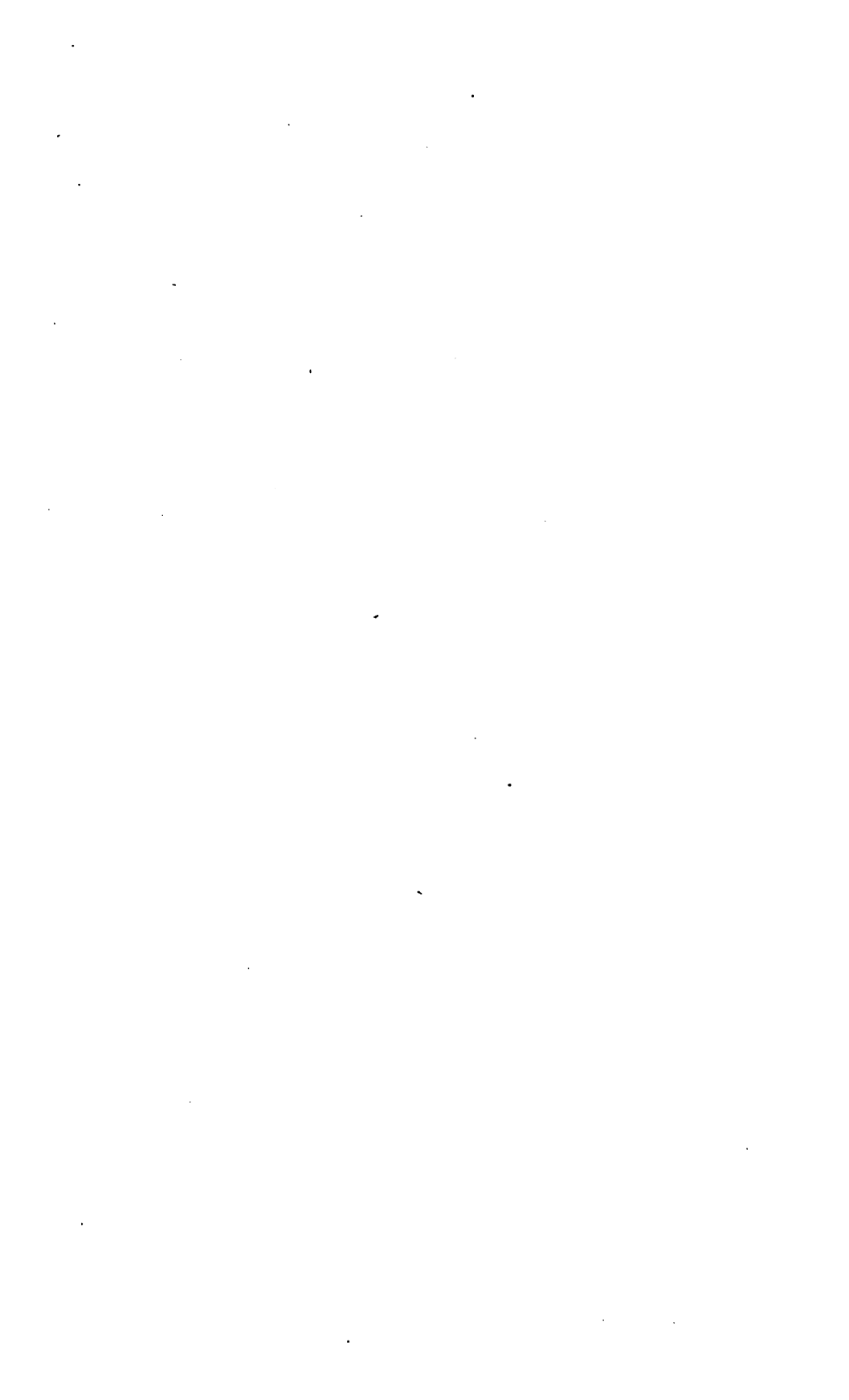
Prison Association of New York.

For the Year 1903.

OFFICE OF THE ASSOCIATION,
135 EAST FIFTEENTH STREET, NEW YORK.

TRANSMITTED TO THE LEGISLATURE MARCH 1, 1904.

ALBANY
OLIVER A. QUAYLE
STATE LEGISLATIVE PRINTER
1904



STATE OF NEW YORK

No. 29.

IN SENATE,

MARCH 1, 1904.

FIFTY-NINTH ANNUAL REPORT

OF THE

PRISON ASSOCIATION OF NEW YORK.

FOR THE YEAR 1903.

THE PRISON ASSOCIATION OF NEW YORK,
135 EAST FIFTEENTH STREET,
NEW YORK, *March 1, 1904.*

Hon. FRANK W. HIGGINS, *Lieutenant-Governor, New York:*

Sir.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present herewith the fifty-ninth annual report of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

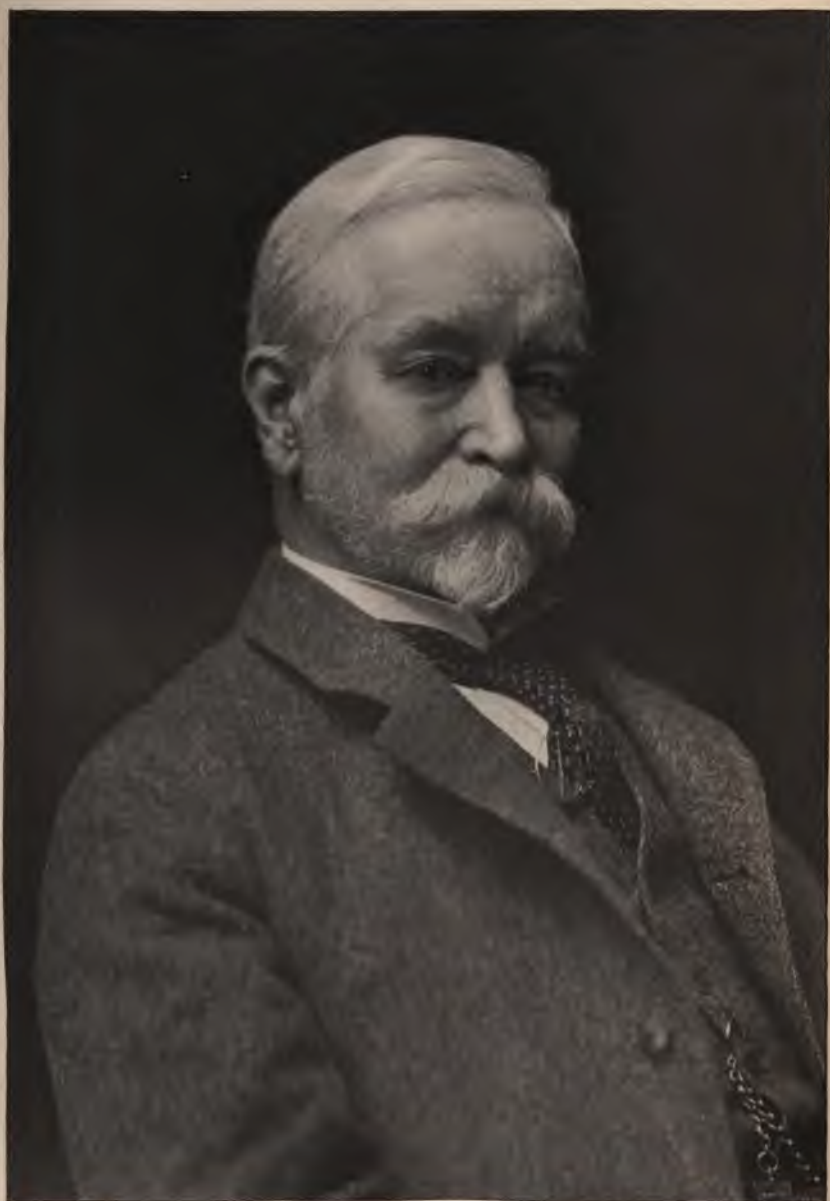
Respectfully yours,

CHARLTON T. LEWIS,

President.

S. J. BARROWS,

Corresponding Secretary.



CHARLTON T. LEWIS, PH. D., LL.D., LATE PRESIDENT OF THE PRISON ASSOCIATION
OF NEW YORK.



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OFFICERS FOR 1904.

President.

*CHARLTON T. LEWIS.

Vice-Presidents.

WILLIAM P. LETCHWORTH, REV. WENDELL PRIME, D. D.,
RT. REV. F. D. HUNTINGTON, ROBERT W. DE FOREST,
FELIX ADLER.

Secretary.

EUGENE SMITH.

Corresponding Secretary.

SAMUEL J. BARROWS.

Treasurer.

J. SEELY WARD, JR., 135 East Fifteenth street, New York City.

Executive Committee.

†Charlton T. Lewis.

W. W. Battershall,
F. P. Bellamy,
B. Ogden Chisolm,
J. Fenimore Cooper,
†Patrick Farrelly,
Austin Flint, M. D.,
Cornelius B. Gold,
J. W. S. Gouley, M. D.,
Wm. H. Gratwick,
Henry E. Gregory,
Alexander M. Hadden,
John W. Hutchinson,

Samuel Macauley Jackson,
Richard A. McCurdy,
James McKeen,
Edward B. Merrill,
Frank D. Pavey,
Eugene A. Philbin,
Dean Sage,
Wm. Jay Schieffelin,
Gino C. Speranza,
J. G. Phelps Stokes, M. D.,
Evert Jansen Wendell,
Mornay Williams.

*Died May 26, 1904.

†Died April 23, 1904.

STANDING COMMITTEES.

Law.

James McKeen,
Eugene Phillips,

Eugene Smith,
Gino C. Speranza,

Frank D. Pavey.

Discharged Convicts.

A. M. Hadden,
Wm. Jay Schieffelin,

Henry E. Gregory,
Patrick Farrelly,

Edward B. Merrill.

Library.

Samuel Macauley Jackson,

B. Ogden Chisolm,

Evert Jansen Wendell.

Detentions.

Dr. J. G. Phelps Stokes,
H. E. Gregory,

Mornay Williams,
Dean Sage.

House.

John W. Hutchinson,
Eugene Smith,

F. P. Bellamy,
Dr. Austin Flint.

Finance.

William Jay Schieffelin,
Samuel Macauley Jackson,
James McKeen,

Dr. J. G. Phelps Stokes,
Cornelius B. Gold,
J. Seely Ward, Jr.

PREFACE.

The fifty-ninth annual report of the Prison Association of New York covers the calendar year for 1903. The reports of work, inspections, and donations, are limited to that year. Contributions made since January 1, 1904, will be acknowledged in the next annual report.

As this report, however, is not printed until July, 1904, advantage has been taken of this fact to include memorial tributes to the late president of the Association, Charlton T. Lewis, who died May 26, 1904, and the late Patrick Farrelly, a member of the executive committee, who died April 23, 1904.

ANNUAL REPORT OF THE EXECUTIVE COMMITTEE.

To the Honorable the Legislature of the State of New York:

In fulfilling once more the duty imposed upon us of reporting to the Legislature concerning the problems of crime and its treatment in this State, it seems especially pertinent to consider conditions which can only be remedied by legislative action.

NECESSITY OF CONSIDERING THE PROBLEM OF CRIME AS A WHOLE.

Every year makes it more and more evident that crime in this State can be treated adequately only by considering the problem as a whole. The criminal is actually in advance of the State in taking advantage of the changed conditions of modern life. While the State continues to treat crime as if it were a local matter, the criminal is anything but local in habitation and in his depredations. He skilfully avails himself of modern methods of transportation to change his habitation and his field of operations from place to place in search of profit or safety. He discovered that with uniform laws and uniform judicial procedure in the State, there is no uniform prison administration. In fact there are in New York sixty-two prison systems, namely, one for the State and one for each of its sixty-one counties. The tramp or vagrant chooses for a winter residence the county where he can get the most comfort with the least work; turning the weakness of the system to his own advantage.

In many other ways local control and divided responsibility defeat efficient discipline and uniform and economical administration. We

beg leave to call your attention to some of the anomalies which point to the necessity for a reorganization and unification of our prison system.

LACK OF CENTRAL OR UNIFORM AUTHORITY.

An obvious anomaly is in prison administration. There are sixty-two prison systems because there are sixty-two centers of power and responsibility. Neither the State Commission of Prisons nor any other State authority exercises any control over discipline, treatment, feeding, education, or labor in county jails or county penitentiaries. This Association visits and inspects them as does the State Commission of Prisons, but, like that Commission, has no power of control. The inspectors can do nothing to improve the conduct of these local institutions or to remedy abuses save by personal appeals to the sheriff or to the county parliament, the board of supervisors, to which he is responsible. There is therefore no uniformity in the condition or treatment of prisoners in the sixty-one counties except that uniform idleness prevails in the jails throughout the State.

The present system—if a method so irregular can be called a system—is incongruous. The penal code is the same in all parts of the State. Public opinion would not tolerate variation based on geographical location, punishing, for example, a theft in New York county by three months' imprisonment and the same offence in St. Lawrence county by six months. The court is permitted in its discretion to adapt the penalty within certain limits to the offender and to his crime; but the name of the county is not regarded as an element in fixing the sentence.

The inequality of sentences arising from differences in the views and disposition of judges can be corrected only by applying the principle of the indeterminate sentence. But if the penalty of like

offences were always the same in duration, every petty thief, for instance, receiving a six months' sentence, the most glaring inequality in the punishment would not be removed. Equality of duration is one thing; but equality of condition quite another. A sentence of two years to such a prison as Sing Sing, especially with two men in a cell, is a different and far heavier penalty than the same term in a healthy modern prison. The county jails, too, vary so much in condition that a month in one is worse than three months in another. Six months in the jail at Batavia in this State or in the penitentiary at Syracuse is a very different punishment in degree and consequence from a sentence of the same period to the jails at Fonda or to the "merry-go-round" at Oswego, as commitment to the Kings county penitentiary, where men may be kept at work, is a different thing from commitment to the Queens county jail, where they are kept in idleness. Thus the uniformity of the penal code is but theoretical, and the penalties imposed under it do not represent any uniformity in punishment or reformatory discipline. The county jails are notoriously unfit for the discipline and correction of convicted prisoners. It is a serious question whether they do not do more to foster crime than to lessen it.

STATE CONTROL FOR STATE OFFENDERS.

All prisoners violating State laws are offenders against the State and should be under State control. Misdemeanors as well as felonies are violations of State laws. There is no reason in law or logic why a felon should be committed to a State institution and a misdemeanor to a county institution. The indictment in every criminal prosecution is that of "The People of the State of New York against A. B." It is in the State that the sovereignty of the people is embodied; and while for convenience political divisions are formed,

with local officers to enforce the laws, to apprehend offenders and to make inquest into violations of the peace of the State, the treatment of the offender after conviction is not a local function. The penal code itself assumes equality and uniformity in this treatment, such as can only be attained by a uniform system of administering prisons and penalties.

THE COUNTY LAW NOT ADEQUATE.

Experience has shown that uniformity of standard and condition can not be attained even under a uniform law for the counties, when the law does not efficiently provide for its enforcement. The law requiring the separation of prisoners in jails is totally disregarded, and the law requiring that they be put to work is a dead letter nearly everywhere. There is hardly a sheriff or supervisor in the State who is not guilty of violating the laws as conspicuously as are the prisoners under his charge. This is not due mainly to the indifference of supervisors or sheriffs. While these officials might do much to improve present conditions, especially those which relate to sanitation, the fact remains that it is extremely difficult to comply with some of these laws under local limitations. And it is important to note that *a large part of this difficulty has been created for the counties by the State itself*. This will be clear when we examine the bearing and effect upon the counties of the amendment to the Constitution in regard to prison labor.

THE EFFECT OF LOCAL CONTROL ON PRISON LABOR.

Before the passage of the constitutional amendment which provides that prison-made goods shall not be sold in the open market, but only to the State or to political divisions thereof, four counties in the State maintained penitentiaries in which prisoners, except those physically disabled, had the mental, moral, and physical advantage

of a full day's work, and these institutions were more than self-sustaining.

In the twenty-eighth annual report of this Association, made in 1872, there is the following reference to the Albany county penitentiary. In twenty-four years 22,980 convicts had been admitted. "During that period the cash income from the industries of the institution amounted to \$843,755.38, while the current expenditures were \$635,151.34; the gain was \$206,604.04, an average of \$8,608 a year. It was also stated that the unrelaxed industry and perfect impartiality of the system of that penitentiary have been potent agencies for restraining crime."

The passage of the constitutional amendment referred to has destroyed the industries of these county penitentiaries. That the taxpayers of the counties are compelled to support in idleness several thousand able-bodied prisoners is a frightful anomaly of our government; yet even this is of slight moment compared with the moral and physical evils which arise from keeping prisoners in enforced idleness. It is ten years since the constitutional prohibition was adopted, and seven years since it went into effect (January 1, 1899). If any one wishes to know the result of this prohibition in keeping men from productive labor, let him go to the Rochester penitentiary and see a hundred men in one room and a hundred in another sitting in absolute idleness under the oversight of keepers, waiting for the time to pass. The monotony of this punishment is relieved occasionally by marching the men around the yard. Here is an inert mass of humanity forcibly removed from society and maintained like a stagnant pool in a corrupting miasm of inactivity as if the only object of such an institution were to breed the scum of civilization and to propagate it in the community. For it must not be forgotten that the most of these men in the course of six or nine months are going

out of prison worse than when they came in. If individual idleness is bad, collective idleness is much worse. To see it in its most evil and contaminating aspect we must go to the county jails throughout the State, where the orderly silence which prevails at the penitentiary gives place to the freest and most contaminating association in the corridors.

DIFFICULTIES IN PROVIDING COUNTY LABOR.

It may be said that notwithstanding the constitutional limitation of labor the law of 1896 requires that prisoners in county jails shall be employed six days in every week, and that it is the duty of sheriffs and supervisors to enforce the law. This is true, and in several counties these officers are neglecting even the meagre resources which the constitutional amendment left in their hands. But the main difficulty is that while the *constitutional amendment destroyed the market, the subsequent law requiring labor, did not restore it*. If supervisors and sheriffs in the different counties are asked why they do not keep prisoners at work, they always have two answers. First, there is no place in the jail where men can work. Secondly, there is no way of disposing of the products if prisoners did work.

Both of these answers have great force. Our jails have no workshops where machinery could be installed, and in most of them the cells are too small and too dark to permit even of hand labor. In most of the counties the county institutions afford no sufficient market for the product of prison industries to encourage the introduction of them.

RESPONSIBILITY OF THE STATE FOR THE SITUATION.

Thus it is the law by which thousands of prisoners are sentenced to idleness, and a reform is possible only by law. The State having taken away the open market from the county penitentiaries, and thus

destroyed their industries, is morally bound to remedy the condition it has created. A practical remedy may be sought in two directions.

REMEDIES FOR EXISTING IDLENESS.

First, the State through the Prison Commission might assign industries to the different counties and receive and dispose of their products, the office of the superintendent of prisons acting as a clearing house for the distribution of products to the different institutions throughout the State.

But as already said, the great difficulty in carrying out such a plan is that the jails have not been constructed for industrial purposes. Their proper function is for the detention of those awaiting trial.

Second, a simpler and more effective way of meeting the difficulty is for the State to assume control, not of the jails, but of all persons who have been convicted of violations of State laws. These should be placed in institutions under control of the State. It would then be possible not only to organize industries for them but to establish a uniform discipline and to reduce greatly the expense of maintenance. The total cost to the counties of maintaining prisoners under the present system is very large; but if properly classified and organized, these prisoners could be made self-sustaining, with great gain to themselves and equal gain to the State. There are several good prisons in the United States which are self-sustaining—notably the House of Correction at Detroit and the Baltimore Penitentiary—and the disciplinary, educational, and corrective features of these institutions contrast strongly with the compulsory idleness of our jails; which are loafers' clubhouses where prisoners spend most of their time in smoking and playing cards at the expense of industrious workingmen outside.

New York is in an unusually favorable position to establish State control for State offenders. To avoid the cost of transportation from the jails to remote prisons, district prisons in different parts of the State should receive convicted persons not sent to State prisons or reformatories. There are already six institutions under county control each of which is fitted to be a district prison, viz, Albany, Onondaga, Monroe, Erie, New York, and Kings county penitentiaries. The New York and Kings County penitentiaries suffice for the prisoners of New York city, and are now under the department of correction, and with the extension of the jurisdiction of the department to all sentenced prisoners in Greater New York the question of state control might be limited to the rest of the State. For this large area the county penitentiaries in Albany, Syracuse, Rochester and Buffalo, owing to their geographical position, would serve well as district prisons. As these penitentiaries are now a source of expense to the counties which own them, the State could no doubt hire or buy them at a very low rate.

The county jails would then simply serve as houses of detention for those awaiting trial, and could be erected or remodeled simply with this end in view. As they deal with persons who are legally presumed to be innocent they could remain at present under control of the counties.

In a report on convict labor, made in 1885 by a special committee of the Prison Association, consisting of Charlton T. Lewis, Eugene Smith, and W. M. F. Round, it was pointed out that "prison labor must be regarded as only the *instrument* of reformation;" that "the contract system is essentially unfavorable to reformation, because it regards and treats the convict as a slave or a live chattel in the service of the State." The report set forth the advantage of the system of public account and the piece price plan of labor. Had the

recommendations of this report been heeded, the evils of the contract system could have been removed and all the reformatory and economic advantages of productive labor could have been maintained under State control. Since that report was rendered the situation in New York has greatly changed. The contract system with its abuses, which was the principal object of attack, has gone; but unfortunately, some better things have gone with it, and among them the right to productive labor in the prison for an open market. The extreme measures adopted in the constitutional amendment have precipitated an industrial catastrophe in the prisons of this State and transferred the burden of the prisoner's support from himself to the taxpayers. The laboring man must bear his share of this new and unnecessary burden. The State prisons with a small percentage of the prison population have partially recovered from the effects of this prostration, but no recovery is possible for the counties or the great mass of prisoners except in some such way as that suggested above.

INEQUALITIES UNDER THE FEE SYSTEM.

But the evils of local control and the confused variety of prison systems are shown not only in the paralysis of prison industries, and in the lack of any uniform standard of prison administration, but also in the existence of a motive in some counties for sending men to prison which does not prevail in others. This is due to the existence of the fee system in some counties and of the salary system in others. In the last annual report of this Association attention was called to the evils of the fee system for sheriffs in criminal cases. Further investigation of this system furnishes additional evidence of its pernicious influence. It is a notable fact that in a great number of the counties in which the fee system has been abolished the

prison population has been reduced from ten to fifty per cent. The expense to the county has been reduced in the same proportion. The fact has become so evident that several counties simply to avoid the extravagance of the fee system have for their own protection secured the passage of special laws substituting salaries for the sheriffs. Forty counties in the State have abandoned the fee system, and as the change in every case thus far has been in deference to local sentiment, it is clear that the abuses under this system have excited strong public opposition in many parts of the State. But there are still twenty-one counties in which sheriffs get their living out of prisoners at so much a head. Constables and justices are sometimes in the ring. The taxpayers pay excessive bills for prisoners' board and for legal procedure, but are not the only sufferers. The temptation is to commit to jail for the benefit of the sheriff, prisoners who might better for themselves and the county, be placed on probation. If the economic side were alone involved it might be left to the counties concerned, with the feeling that if the county taxpayers maintain such abuses they must pay the cost. But that the laws are used in any county to keep prisoners in idleness for the profit of a public official when under a probation system they might be supporting themselves and their families, with better hope of reformation, is a grave public scandal. It affects the interests of the whole State. It is a blot on the good name of the community that a discredited system which has been discarded by nearly every civilized nation should be maintained here as a source of revenue for local politicians. It is not the county alone; it is the State which pays the cost. Experience shows that the fee system instead of diminishing crime tends to increase it; it substitutes detention for prevention and reformation. It is to the interest of the sheriff to have as many prisoners and to keep them as long as possible. Whenever any county has any in-

stitution for the manufacture of criminals all the adjacent counties and the State as a whole must suffer from the contagion, both physical and moral.

It is plain that no effort to unify prison administration and to provide employment in the only way possible through the agency of the State can be successful so long as local county officials have a pecuniary motive for keeping prisoners in idleness in jails. Many prisoners are retained in jails under the fee system who might be sent to the district penitentiaries and set to work. As a preliminary measure for the unification of prison administration, as well as on account of the evils inherent in it, the fee system should be abolished.

THE NATIONAL PRISON REFORM CONGRESS ON UNIFICATION.

In 1870 there was held at Cincinnati a National Prison Reform Congress which was the forerunner of the present National Prison Association. In the elaborate declaration of principles which was adopted by that congress is a recognition of the need of unification and central control:

"As a principle that crowns all and is essential to all, it is our conviction that no prison system can be perfect, or successful to the most desirable extent, without some central and supreme authority to sit at the helm, guiding, controlling, unifying, vitalizing the whole. * * * Without such an authority, ready at all times for deliberation and action, there can be no consistent and homogeneous system of administration, no well-directed experiments, no careful deductions, no establishment of broad principles of prison discipline, nor any skillfully devised plans for carrying such principles into effect. But under a central board or bureau, improvements of every kind could be readily introduced, and that, too, in the safest manner, by first trying the plan proposed on a small scale and under the best circumstances for insuring trustworthy results, and then, if successful, gradually, under the guidance of experience, extending the sphere of its operations. We ardently hope yet to see all the departments of our preventive, reformatory and penal institutions in each State moulded into one harmonious and effective system; its parts mutually answering to and supporting each other; and the whole animated

by the same spirit, aiming at the same objects, and subject to the same control, yet without the loss of the advantages of voluntary aid and effort, wherever they are attainable."

The principle of central control set forth in the declaration above has already been adopted substantially by many foreign countries. Central control is now exercised over all convicted prisoners in England, France, Belgium, Norway, Holland, in each of the German States, and in Italy and Russia. While it would be impossible to have central control vested in the Federal government in this country it is entirely feasible to have such control vested in some form of central authority in each State. In the State of New York there are, under the Constitution, two seats of authority over State prisons, the State Commission of Prisons and the State Superintendent of Prisons. Prisoners committed to the Elmira Reformatory are likewise under the control of a special board of managers having charge of that institution. Without disturbing the existing order, but by simply enlarging the area of authority of the Superintendent of Prisons and the State Commission of Prisons, the essential advantages of State control could be secured.

POLITICS AND PRISON ADMINISTRATION.

In the year 1871 an able and elaborate report on the subject of prison labor was made to the Legislature by a special commission appointed by Governor Hoffman under a joint resolution of the Legislature. This commission expressed the opinion that "ultimately the penal administration of the State ought to be a unit"; adopting the language of the Prison Reform Congress quoted above that "no prison system for a State can be perfect or successful to the most desirable extent without some central authority to sit at the helm, guiding, controlling, unifying and vitalizing the whole."

This commission did not, however, at that time recommend the immediate adoption of State control. Two reasons were advanced why this ultimate goal could not be immediately attained. One was the great cost to the State of acquiring the penitentiaries which were then a source of profit to the counties owning them. As shown above, the situation is now entirely reversed. Outside of New York city the penitentiaries are actually a burden upon the counties.

The second reason advanced for postponement was the prevalence of partisan politics in prison administration. The danger which grows out of partisan politics in this branch of government has often been recognized. In the laws of 1847 it was enacted that—

“No appointment shall be made in any of the State prisons of this State on the grounds of political partisanship; but honesty, capacity and adaptation, shall constitute the rule for appointments, and any violation of this rule shall be sufficient cause for the removal from office of the officer committing such violation.”

In the fifty-seven years since the law was enacted, how many times has it been violated in letter and in spirit; and if the penalty of imprisonment had followed conviction for every violation how many State and county officials in the last half century would have been wearing prison stripes and serving terms with the men they were appointed to guard?

Fortunately the prohibition against using the prisons as the instrument of partisan politics is no longer left as a dumb protest on the statute books. The principle that appointments to civil service shall be based on merit and fitness has been embodied in law since 1883 and is now in the Constitution of the State, and various civil service laws have been passed which greatly limit the spoils in political contests.

Under the law of 1900 much progress has been made in eliminating by competitive examinations purely partisan appointments for

the minor positions in the State service. There is still painful evidence that men without experience or fitness have been chosen for responsible positions in prison management in discharge of some political debt. The New York State Conference of Charities and Correction has in the last three years pointed out the unfortunate results of tampering with the prison system for political ends.

The records, however, of the Civil Service Commission to January 1, 1904, show that out of a total of 460 employees in the State prisons in the classified service 414 held competitive positions.

POLITICS IN COUNTY JAILS.

It is under the counties system and especially with reference to county jails that the spoils system is still potent. A constitutional provision makes the office of sheriff elective and also renders it impossible for the sheriff to succeed himself. The management of the jail therefore changes every three years. No sooner does a sheriff become familiar with his duties than he steps down to make way for another man. Thus we have a system of rotation in office protected by the Constitution which makes the jails every three years the prize of a political contest either at the polls or in the caucus.

The mischievous effects of this system would be much lessened by abolishing the fee system and placing all sentenced prisoners under State control. For whatever the defects of State control, the protection now afforded by the civil service rules makes it vastly preferable to the rotation system with a short tenure of office.

CONCLUSIONS AS TO UNIFICATION AND STATE CONTROL.

1. Crime in the State can only be adequately treated by considering the problem as a whole. The present system is unequal, irregular, expensive and ineffective. Counties are unable under existing laws

or by any modification of merely local systems to grapple with a problem which belongs to the State.

2. All persons convicted of violating the State laws should be dealt with by the State and committed to its custody whether the violation be called a felony or a misdemeanor.

3. The effect of the constitutional amendment forbidding the sale of prison made goods in the open market has been to prostrate industries in all of the county penitentiaries outside of New York. The enforced idleness of prisoners sentenced to county jails is lamentable and unpardonable. Daily productive labor is absolutely necessary for the physical and moral welfare of prisoners.

4. It is an injustice to the free laborer obliged to toil for his own support to be compelled to pay taxes for the support of several thousand prisoners who are maintained in idleness.

5. The greater part of this deplorable idleness has been created by the State itself through the constitutional amendment and can only be remedied by State action.

6. The antique system, abolished in most civilized countries, of paying sheriffs so much a day for each prisoner they keep still prevails in one-third of the counties of New York State. It is a method liable to the greatest abuse, for it is to the interest of the sheriff to have as many prisoners as possible for the sake of increasing his revenue. This interferes with the operation of the probation system and increases the expenses of the county.

REMEDIES THROUGH STATE CONTROL.

The transition from local to State control, which is the only remedy for the conditions described above, can be effected in New York State with comparative ease and at small expense, when compared with the rank extravagance of the present system.

Sacrificing logical to practical considerations, Greater New York may be left out of the plan of State control, but centralization in that city should, as already recommended by this association, go far enough to place all sentenced prisoners under control of the department of correction. For the other sections of the State unification can be secured and the existing idleness removed by the following measures:

1. It should be provided by law that after a certain date all prisoners convicted of violations of State laws shall be sentenced to institutions under control of the State.

2. To accommodate such prisoners the State should create by law a number of houses of correction for misdemeanants. The penitentiaries of Albany, Onondaga, Monroe and Erie counties can doubtless be inexpensively acquired for this purpose.

3. Productive industries should be organized in the houses of correction thus established.

4. The State through the superintendent of prisons should furnish the raw material and market the product of the penitentiaries.

5. Prison labor should embrace all industries which may profitably be followed under the scheme of State use, and no exemption should be permitted of any special industry so long as the present constitutional prohibition exists as to sale in the open market.

6. The powers of the State superintendent of prisons and of the State commission of prisons may be extended by appropriate legislation.

CHARLTON T. LEWIS,

Chairman.

SAMUEL J. BARROWS,

Corresponding Secretary.

REPORT OF THE CORRESPONDING SECRETARY.

A REACTIONARY MEASURE.

For more than half a century the Prison Association of New York has endeavored not only to improve the prison system of the State but also to preserve it from reactionary and pernicious influences. Hardly a year passes that some effort is not made by ill-informed or ill-advised persons to repeal some law or to abandon some work the value of which has already been demonstrated. During the year 1903 the most notable attempt in this direction was an endeavor to abolish the Bedford Reformatory for Women and to establish in its place an insane asylum. The abolition of this institution would have been a serious blow to the reformatory system of New York State, and could not have been justified by any consideration of economy or public welfare. The report of the State commissioner of prisons for 1902 shows that during the previous fiscal year 12,926 women were admitted to the jails, penitentiaries and workhouses in the counties from which women are committed to Bedford—namely, the counties of New York, Kings, Queens, Nassau, Richmond, Suffolk, and Westchester. These nearly thirteen thousand admissions represent, it is estimated, at least two thousand individuals. Assuming that three-fourths of these are “rounders,” there are beyond doubt five hundred women annually in the district referred to who are proper subjects for reformatory treatment at Bedford.

The attack on the institution had the effect of bringing out the friends of the reformatory in strong force at Albany at a hearing

before the Senate committee on finance. Under the able leadership of Mr. James Wood, president of the board of managers of the Bedford Village, the whole subject was well ventilated and the need of the proposition was clearly established that the bill for its abolition was not reported by the committee.

THE STATE COMMISSION OF PRISONS.

Early in the year Hon. Lispenard Stewart, president of the State commission of prisons, resigned his office, and was succeeded by Mr. John P. Jaekel, formerly State treasurer and also a member of the commission. It is to be regretted that the State could not have still further the benefit of the experience and ability of a gentleman accustomed to deal with large business interests and who for several years had given freely to the State his services as president of a commission, made up of citizens selected for their public spirit and philanthropic interest. The dismantling of the old commission, ostensibly made to save the State two or three thousand dollars a year, was rather a piece of short-sighted extravagance than of well-studied economy, for the services rendered by the eight members of the commission selected from different judicial districts and serving without salary were worth many times the small account incurred for expenses.

WOMAN PROBATION OFFICER IN BROOKLYN.

A committee of the Women's Clubs in Brooklyn having succeeded in securing pledges for the salary of a woman probation officer, decided to support Miss Roome, a lady who had already done volunteer work as a probation officer for more than one year, and she was appointed by the board of magistrates. It is hoped that the value of such work will be so thoroughly demonstrated that in another year

the city may be induced to pay the salary of such a woman probation officer, and a bill authorizing the board of estimate and apportionment to pay such salary was drafted by our law committee for presentation at the next meeting of the Legislature.*

By a special act of the Legislature, provision was made for the appointment of a woman probation officer to be attached to the court of special sessions at a salary of \$1200 a year. Miss Ada Eliot, who already had valuable experience as a volunteer officer in connection with the same court, was appointed to this position.

SOCIETY FOR COMPARATIVE LEGISLATION.

The corresponding secretary attended a meeting in Washington in January in response to a call to consider whether a society should be formed in regard to comparative legislation or whether such work could be undertaken by some already existing organization. The matter, finally left to a committee for consideration, resulted in the formation of the American Political Science Association, which will distribute its work among several sections devoted respectively to international law and diplomacy, comparative legislation, historical and comparative jurisprudence, constitutional law, administration, politics and political theory.

THE ASSOCIATION LIBRARY.

It has long been evident that in order to make available much of the material in the library of the Association a complete new classification and recataloguing of the collection would be necessary. Many books were only entered by title with but little indication of their contents. The distribution of books was more or less arbitrary, largely because no complete system of classification with reference to penology had been worked out and made available. The needs of

* This bill passed the Legislature and has become a law.

the library were carefully considered by the chairman of the library committee, Rev. Samuel Macauley Jackson, and a plan of reorganization effected. The late Charles A. Cutter, formerly librarian of the Boston Athenæum and subsequently of the Northampton Public Library, kindly came to New York and, after examining our collection, with the help of such suggestion as we could furnish, made an extended plan of classification with an accompanying notation, a development of the Cutter system. Mr. Cutter's skill and experience in the direction of classification and notation are universally recognized, and the time and labor he gave to the preparation of this scheme is another illustration of his ardent devotion to his profession.

For some months Miss Mary V. Titus, a lady of judgment and experience in library work, has been engaged in recataloguing and rearranging the library. Many duplicates have been weeded out and transferred to the Astor Library. A detailed index of all the reports of the Association from the beginning has been made and will be very useful for historical reference. Many gaps in the library have been discovered, some of which it will be impossible to fill. But it is hoped that by the prompt indexing and cataloguing of new material this collection can be made much more efficient as a working library on penological lines.

Fortunately, many of the most valuable books in our library from the standpoint of the active worker are reports from various States in the Union and foreign countries. These reports are given in exchange for our own and require the expenditure of no money except that involved in the necessary labor of cataloguing them.

NATIONAL CONFERENCE OF CHARITIES AND CORRECTION.

In May I attended the annual meeting of the National Conference of Charities and Correction in Atlanta, Georgia, and as chairman

of the committee on the treatment of the criminal, conducted the meetings on this subject. Two other members of our board, Rev. Samuel Macauley Jackson and Mr. Mornay Williams, both representing also other organizations, were present at the meeting. Two section meetings and one general meeting were assigned to the subject of crime and its treatment. Opportunity was taken to visit the new United States penitentiary at Atlanta. This is one of the best examples of a modern prison of the prevailing type in this country, a central cell building surrounded with corridors. Through the courtesy of the Department of Justice, I have been able to secure photographs of this institution.

I also took occasion to visit the city stockade at Atlanta in which the evils of promiscuous association and the want of any adequate separation of young and old offenders were very evident, but the South has no monopoly of a short-sighted method of treating short-sentence prisoners. Superficial differences in physical treatment which distinguish the jail system in different parts of the country are less important than the general moral incongruities revealed everywhere in the treatment of misdemeanants.

More satisfactory was a visit to the Georgia State farm near Milledgeville, under the control of the board of commissioners. A part of the farm is devoted to men and a part to women. The superintendent is an experienced farmer and the results obtained have been so good as to furnish a strong argument for the abolition of the county lease system and for placing all prisoners on parole.

In Alabama I was much indebted to Dr. Shirley Bragg, a member of the board of prison commissioners, for information and for personal courtesies. I visited the State prison at Wetumka, a portion of which has been abandoned as unfit for occupation, and all which

might profitably be rebuilt. But the great advantage of the southern climate is the opportunity given for outdoor labor. No prison board has been more courageous or outspoken than the prison board of Alabama in attacking the evils of the jail system. The assumption of the Pratt mines by the State board has been followed by a remarkable increase of revenues to the State. The commissioners maintain that the physical and moral condition of the prisoners is likewise much better than under the lease system.

I also took occasion to visit the schools at Calhoun and Kowaliga and the Normal Institute at Tuskegee, all of which are institutions exercising a healthful moral influence in Alabama and throughout the South in the development of the Negro industrially, educationally and morally.

TOUR OF INSPECTION.

The larger part of the month of August and portions of the months of September, November and December were devoted to a tour in twenty-two of the northern and central counties of the State. Three objects were held in view: 1, the inspection of jails and penitentiaries; 2, a study of the effect of the fee system of compensating sheriffs; 3, conferences with local members of the Association and with boards of supervisors.

The counties visited comprised Essex, Warren, Saratoga, Washington, Fulton, Montgomery, Hamilton, Herkimer, Oswego, Lewis, Jefferson, St. Lawrence, Franklin, Clinton, Chautauqua, Orleans, Monroe, Onondaga, Cayuga, Albany, Schenectady, Ulster and Orange. The observations made on this trip are noted under the various counties in the portion of this report devoted to inspections, and are embodied to some extent in the report of the executive committee.

NATIONAL PRISON ASSOCIATION.

In company with the president of this association, Charlton T. Lewis, LL. D., and J. G. Phelps Stokes, M. D., I attended the National Prison Congress at Louisville, Ky., in the month of October. The relations between the National Prison Association and the Prison Association of New York having long been intimate and reciprocal, and at the session at Louisville the relation was made still closer by the election of Dr. Lewis as President of the National Association, which will hold its meeting in Quincy, Illinois, next year. The publication of the proceedings of the congress renders it unnecessary to give a detailed account of the meeting. In company with Mr. Stokes I visited the State prison of Kentucky at Frankfort in which a high degree of industrial activity is maintained.

OHIO STATE REFORMATORY.

On our return from the congress we spent a profitable day at the Ohio State Reformatory at Mansfield, of which Mr. J. Leonard is the superintendent. We were much impressed not only with the site chosen for the reformatory, which includes a good tract of arable land, but also by the excellent work in the construction of buildings done by the inmates and by the general high character of the discipline of this institution. This it is hardly necessary to say is not due to any mechanical application of formal rules, but to the vitality and capacity, tact, resource and personality of the superintendent, who has given a fresh impulse to the reformatory system in Ohio.

We also visited the State prison of Ohio at Columbus. This institution, so far as buildings are concerned, sadly needs reconstruction. It is the largest prison in the United States and one in which industries are well conducted under the contract system. Prisoners are

allowed a portion of their earnings beyond the daily task assigned them, and some of them make from five to forty dollars a month in this way. This reward is a great encouragement to the industry of prisoners. But it would seem that better regulation should be made as to the spending of the money thus earned.

Mr. Stokes and myself also visited the new jail at Akron, Ohio, of which Mr. F. O. Weary is architect. We had the advantage of a personal inspection of the institution under the courteous attention of that gentleman. Mr. Weary has broken away from some of the old traditions of jail construction, and has especially endeavored to secure the separation and a better classification of prisoners. The efforts of architects in this direction may often be nullified by jailors who do not appreciate the importance of such separation: and we actually found prisoners turned loose together in the corridor just as they are in the pit of the old-fashioned jail. Mr. Weary deserves credit for his enterprise in suggesting new plans of jail construction. It is a subject which still invites consideration and discussion.

In this connection I may add that I visited the Van Dorn Iron Works in Cleveland, a firm which has furnished much of the steel work for many jails and prisons in the United States, and was assured of the cordial cooperation of the company in promoting improvements in jail construction.

NEW YORK STATE CONFERENCE OF CHARITIES AND CORRECTION.

The fourth New York Conference of Charities and Correction was held at Buffalo November 17-20. Messrs. Jackson, Williams, Stokes, and myself were in attendance. The conference was spirited, progressive and earnest. An important subject under discussion was the necessity of applying reformatory treatment to misdemeanants between the ages of eighteen and thirty. A committee was ap-

pointed to secure if possible further legislation on this subject. Some account of the work of this committee is given on subsequent pages.

OTHER ADDRESSES.

Rev. Henry Stebbins, D. D., pastor of one of the largest churches in Rochester, instead of availing himself of his privileges as a minister of abstaining from jury duty, accepted the foremanship of the grand jury, and gave much attention to the condition of the jail and penitentiary in Rochester. Unfortunately, as is shown in the report of the executive committee, the idleness now prevalent in the penitentiary can not be wholly cured by merely local remedies. Through the kind invitation of Dr. Stebbins it was my privilege to speak Sunday evening, October 25th, in the Central Presbyterian Church, on the treatment of the criminal.

In the same city, in response to the invitation of Rev. William C. Gannett, pastor of the Unitarian Church, I spoke Sunday morning, December 6th, on "Some things that need to be done to improve the prison system of New York."

November 11 I attended the meeting of the board of managers of the New Jersey State Charities Aid Association, held at Elizabeth, and by invitation gave an address on "Problems in penology in New York State."

CHILDREN'S COURTS.

In the month of November, at the invitation of Judge Julius M. Mayer of New York and Judge Robert J. Wilkin of Brooklyn, I had the privilege of sitting on the bench with them and observing the disposition of cases in the juvenile courts. I am preparing for the International Prison Commission a report on that subject, which like other reports of the series, will be published as a government document.

MEETINGS OF THE BOARDS OF SUPERVISORS.

The change from the fee system to the salary system of compensating sheriffs in criminal cases has been made in the counties adopting it through special legislation in deference to local sentiment. A list of twenty-four counties in which the fee system still exists was prepared and communications were sent to the boards of supervisors in all these counties calling their attention to the desirability of changing to the salary system. As nearly all the boards of supervisors hold their sessions about the same time, beginning after the election in November, it was not practicable to attend personally the meetings of all the boards. Some of the more important counties in which the subject of the fee system seemed to be ripe for consideration were selected for personal visitation. I attended and addressed meetings of the boards of supervisors in Schenectady, Fulton, Orleans, Cayuga, Onondaga, Ulster and Orange counties and had personal interviews with leading members of these boards in other counties. In Onondaga the main subject of the address was the proposition that the State should acquire the county penitentiary, a suggestion which was favorably received by the local board.

SAMUEL J. BARROWS.

PRISONS AND JAILS.

In the last report of this Association detailed information as to the condition of various jails and prisons was preceded by a well considered and carefully prepared paper on "The Jails and Penitentiaries of New York," by a gentleman of wide experience and distinguished ability, Mr. Z. R. Brockway. It is unnecessary to repeat in this report the general array of unfortunate conditions there described or the suggestions as to their remedy, inasmuch as the whole subject of the reorganization of the State penal system is treated at length in the report of the executive committee and in substantial agreement with the paper already referred to.

The reports of this Association as to the wretched condition of many of our county jails and as to the utter failure and imbecility of the county jail system as a whole have been confirmed by other observers. The state superintendent of prisons and the state commission of prisons have spoken strongly on this subject. Last year there was added the testimony of another intelligent and trained observer, who looked at the problems with a woman's eye. Miss Alice L. Woodbridge, prison visitor of the Women's Prison Association of New York, visited all the penal institutions of the State during the year. Her description of the defective organization of particular jails, especially as to the want of adequate provision for the treatment of women, her arraignment of the unsanitary conditions of others, and her observations as to the idleness of prisoners, all support her general conclusion that "the conditions found in many jails might have existed in the dark ages." These jails are rightly described as "schools of crime and immorality" and as violating in construction "all rules of decency." It is interesting also to observe that Miss Woodbridge from independent observation supports the conclusion and the recommendation of this report, not made indeed here for the first time, that prisoners sentenced for misdemeanors

1,626 weeks' board, at \$3.25.....	\$5,284 50
1,626 weeks' washing, at 15 cents.....	243 90
Key fees	372 00
	<hr/>
	\$5,900 40
	<hr/>

December 9th I was cordially received by the board of supervisors of Auburn. In addition to recommending a change from the fee to the salary system my special object was to urge the board to accept the recommendation of the State commission of prisons that hand looms be placed in the jail and the prisoners be put to work, the State furnishing the material and undertaking to market the product.

CHAUTAUQUA COUNTY.

JAIL AT MAYVILLE.

At the time of my visit, October 12th, 16 prisoners were held for trial, of whom 1 was a woman. There were 18 under sentence, 1 of them a woman, so that the jail, which contains thirty-two cells, was practically full.

This jail is comparatively new, having been built eight years ago, with additions two years ago. The lower floor is used for those awaiting trial, the upper floor for those under sentence. Each corridor is provided with a bathroom and lavatory, and there is a closet in each cell. The women are separated from the men.

The men were entirely idle. Twelve were sentenced for intoxication, their sentences ranging from thirty to sixty days; one, committed for cruelty to animals, twenty-five days; one for six months and two for sixty days for assault; one forty days and one sixty days for other offenses. It is altogether inexcusable to keep men in idleness for such a length of time.

The sheriff is paid under the fee system. Under a law passed by the legislature the supervisors of Chautauqua county are at liberty to change to the salary system, but they have not yet availed themselves of this law.

LOCK-UP AT DUNKIRK.

I also visited the lock-up at Dunkirk. It consists of a cage of six steel cells, grated with bars at the top as well as at the side. It is mainly used for tramps, as many as twenty-five or thirty being shut in at a time. According to the chief of police, the majority of them "consider a term in the county jail in the winter as a part of their assets."

CLINTON COUNTY.

The population of the jail at Plattsburg at the time of my visit, September, was 14, 13 of whom were under sentence. The jail building has an exterior wall of brick, with steel cells, all of which open into a central corridor or pit within the cage. Into this pit the prisoners are all turned and get such exercise as they can in this gloomy and restricted interior. There are two swinging steel cots let down from each side of the cell. The upper floor of the jail is certainly pleasanter, but is not used so much, not being considered sufficiently secure. The woman's department was built two years ago and consists of two rooms, a bathroom and closet. There are double beds in each room. This part of the jail is much cleaner and pleasanter than that for the men. Local sentiment was influential in securing these quarters for the women.

About forty Chinamen were confined in a separate place at the rear of the jail. The United States government pays 43 cents a day for the Chinamen, which leaves a large margin for the sheriff, but at the conclusion of the sheriff's term the county will be under the salary system, with a salary of \$1,500 for the sheriff, \$600 for the deputy, \$500 for the matron, and \$300 for a cook.

ESSEX COUNTY.

The jail at Elizabethtown is an old building revamped. The shell of the old jail was used, but a cage of steel has been put in and the sanitary features improved by the addition of bathtubs and water-closets. The population seldom exceeds six or eight. The men are confined on the lower floor. Juvenile prisoners are rare and also women. There are no special accommodations for the latter, but a



MALONE, N. Y., DETENTION BUILDING FOR CHINESE.

room on the second floor may be used for this purpose. Prisoners are allowed to communicate freely; they sit in the corridors and talk. Occasionally the sheriff permits them to go out into the yard for exercise, but the yard is not sufficiently secure. Prisoners are unemployed. Local residents visit the jail, which is nearly in the center of the beautiful town.

The salary system takes the place of the fee system January 1, 1904. The sheriff will receive \$1,500, and there is an allowance for \$400 for a turnkey and \$200 for matron.

FRANKLIN COUNTY.

JAIL AT MALONE.

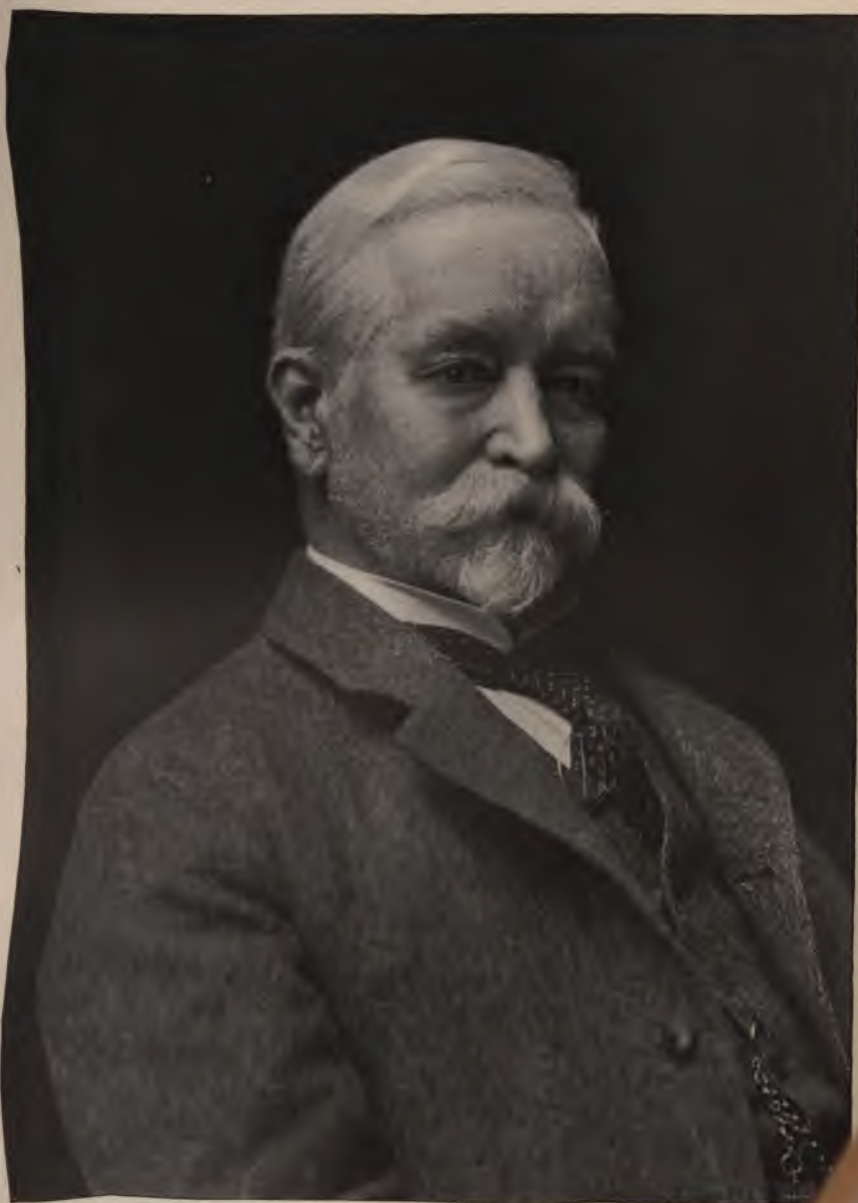
Nothing need be added to what was said in our last year's report concerning the jail at Malone except to reiterate the conclusion of the report that "the county ought to have a new jail built on modern sanitary principles."

No jail record has been kept here for years. This jail, like many others in the State, illustrates the importance of having a general law as proposed by the State commission of prisons, requiring the keeping of such records and making them a part of the property of the county, and not of the sheriff or keeper.

Under the new law changing from the fee to the salary system the sheriff receives \$1,200, the under-sheriff \$400, and matron \$208.

At the time of my visit, September 2, the jail population was 10, which included 2 boys, 1 of seventeen and 1 eighteen, under sentence of three months for petit larceny. These boys I found upstairs in the same cell, and though it was ten o'clock in the morning they were still lying in their hammocks. As they had absolutely nothing to do, the jailor was of course indifferent as to whether they got up or not. The upper part of the jail, which was formerly used for Chinamen, is now empty, and it could be made over for a department for women and boys, but, better still, a new jail should be built on modern principles.

The jailor was much annoyed by the want of cells in which to confine transient and noisy drunkards. The "drunks" now have to



CHARLTON T. LEWIS, PH. D., LL.D., LATE PRESIDENT OF THE PRISON ASSOCIATION
OF NEW YORK.

be dropped down and confined over the roof. In fair time some of the prisoners are provided with two cells.

It is impossible to provide for the sheriff to keep the law as to classification and keep prisoners awaiting trial separate from those under sentence.

There are two men sentenced for six months and two for three months who might better have been sent to the Onondaga penitentiary.

HOUSE OF DETENTION FOR CHINAMEN.

Under a United States law which went into effect July 1, 1903, the expense of boarding the Chinamen who are awaiting the decision of the courts as to admission to the United States falls upon the Canadian Pacific Railway. This company now contracts directly with Chinese caterers for the board of prisoners. The United States government holds them in custody and has hired, at an expense of \$2,000 a year, a wooden building in the rear of the county jail. This building was at first used as an annex to the jail when the sheriff kept the Chinamen. It is in no respect what it should be as a proper detention house for such prisoners. It is greatly overcrowded. If Chinamen are to continue to be detained at the border in this fashion the government should erect a suitable building. The overcrowded condition of this house is favorable to the development of disease, while the wooden structure makes it a veritable firetrap.

FULTON COUNTY.

Historically the jail of Johnstown is interesting. It was built about one hundred and thirty two years ago and was intended originally as a fort. Its solidity is shown in stone walls 3 feet 7 inches in thickness. It could resist a strong attack from without and is reasonably secure for the detention of prisoners, though modern experience has shown that no walls can take the place of vigilant guards. But the internal wooden structure renders it a dangerous firetrap. A hundred years ago it might have answered the purpose of a jail as it was then conceived, but to-day it is totally unfit to meet the demands of the law of the State. There are no separate quarters



JAIL, MALONE, FRANKLIN COUNTY, N. Y.

for sentenced men and those awaiting trial, and, what is still worse, there is no provision for the separation of women from male prisoners.

The lower part of the two-story house is used for the dwelling of the sheriff, an addition having been built on one end to provide a sheriff's office and on the other a kitchen. The upper floor is used for the jail. It is divided into rooms of unequal size. There is a central hallway and the cells are arranged on each side, with the windows opening directly to air and light. This is the one redeeming feature of this antiquated jail.

There are four cells, 6 feet 10 inches square by about 8 feet high. The floors are wood, the ceiling and walls are sheathed with iron. There are wooden doors, 3 inches thick. The interior corridor is lighted with gas. Of course where the interior corridor structure is used it should be lighted by windows from above. Two cells on one side of the corridor are used as punishment cells, but were not in use at the time of my visit, August 26. On the other side of the corridor the rooms are twice as large and four prisoners are placed in each. These rooms have two windows guarded by a triple row of bars, the bay of each window being 31 inches deep. The bedsteads are of iron, with wire mattresses, upon which are straw mattresses and woolen blankets. These large cells are heated by a stove in the center of the room. A room at one end of the hall is utilized for toilet and shower bath.

The prisoners awaiting trial and those under sentence are freely allowed to mingle, and games of cards furnished the principal diversion. One of the rooms was occupied by a man and his wife, the man having been indicted for murder and the wife being held as a witness. The woman was allowed to walk in the same corridor with the men, and her presence was a disturbing element and source of complaint; but the only other accommodations at the disposition of the sheriff are cells immediately off the sheriff's office, where a prisoner can hear all that is going on, and other reasons render them objectionable.

Johnstown needs a new jail. The supervisors as well as the sheriff recognize the shortcomings of the present one, and, since its con-

demnation by the State commission of prisons, have decided not to build a new jail—altogether the best course—but to remodel the old one. The proposal is to build a new house for the sheriff on the southern portion of the lot and to give up the lower part of the present building now occupied by the sheriff entirely to jail purposes. Doubtless existing conditions can be readily improved by remodeling, but if the county were to take at an early date another important step in the direction of abolishing the fee system and the development of the probation system, it would in a few years save enough as compared with present expenses to pay for the outlay for a new and sufficient jail of moderate dimensions.

HAMILTON COUNTY.

Hamilton county is one of the largest counties in the State measured by the square mile, and the smallest measured by population, which is less than five thousand people. I was somewhat surprised to find in New York State a county in which there is but one lawyer, and in which the county judge is not a lawyer, nor the district-attorney. The judge was for some time a doctor, but has since given place to a grocer. At the time of my arrival, in August, the little stone jail at Lake Pleasant, the capital of the county, had but two prisoners. One of them a stalwart lumberman committed for assault, I found near the stage office, and the other, of French-Canadian origin, committed for bastardy and nonsupport, was likewise at large. The story is that the men have the run of the town in the day time, and if they do not return to the jail by nine o'clock at night they are punished by being locked out. I found no evidence of such a severe application of the rule. One of the prisoners was really acting as jailor, and occupied the sheriff's room, a large and comfortable apartment on the second floor, in lieu of a cell. Hardly at any hotel in town could be found more comfortable quarters. The jail is a solid stone structure two stories high, the larger part of which is occupied by the jailor's family. The back part of the upper floor is fitted up with four steel cells; but one of these was occupied at the time of my visit. The sanitary conditions are somewhat primitive. Prisoners eat in the jailor's kitchen. I was told that no woman had ever been

committed to the jail, a statement which it was impossible to verify by any records. The prisoners are allowed to work in the stable and on the adjoining ground. There is no wall about the jail, and nothing to restrict the liberty of prisoners.

HERKIMER COUNTY.

The jail at Herkimer was refitted with a steel interior in 1898 and with various improvements. It stands on the corner opposite the courthouse on the main street, and has no jail yard and no shops in which men can be worked. The county three years ago worked some men in the stoneyard, but it did not pay and was abandoned. The population at the time of my visit, August 26, 1903, was 26, 3 of them women and 2 boys, one of the boys thirteen years of age arrested on a charge of murder, and a boy of sixteen or seventeen arrested on a charge of burglary. The jail is provided with a shower bath on the first floor and has cement floors throughout. The windows from the corridors opening on the street are well covered with ground glass and with wire screens, so that communication with the outside is cut off. The windows toward the street are not opened. Those on the south side are opened to admit air. The jail is lighted by electricity. The cells are $7\frac{1}{2}$ by 5 feet and about 8 feet high. There is a central cell block with an outer and inner corridor or pit. The cells are barred toward the outer corridor with the door opening to the inner pit. A door from the pit opens into the outer corridor. In the forenoon prisoners exercise in the outside corridor, the rest of the day in the pit. There are twenty-nine cells in the jail all told, ten on the first floor, ten on the second, and nine on the third floor, which is used for women and boys. Those awaiting trial are confined on the lower floor, sentenced men on the second. The average sentence is about thirty days. The jail is heated by steam. At the time of my visit the sheriff was receiving \$2.75 per week for each prisoner, but the salary system goes into operation January 1, 1904. Under the fee system the sheriff's office has been worth \$7,000.

JEFFERSON COUNTY.

The jail at Watertown was built some seventy years ago, but has been remodeled in the last ten years. It is built of stone. The lower

floor of the jail is on the level of the ground outside, but the windows are 7 feet high above the floor and are covered with ground glass and grating, so that communication is cut off with the outside. There are eight cells and two tiers, making sixteen in all. Each cell has two canvas cots with blankets. The cells are 7 feet 7 inches by 5 feet wide and 7 feet 3½ inches high. There is a toilet and a lavatory in the corridor. There were 25 prisoners, 1 of them a woman, at the time of my visit. The average population is about 22. Most of the sentences are for intoxication and petit larceny. One man was in for violating the game law, and fined twenty-five dollars or twenty-five days. He might have been on probation and been allowed to earn the twenty-five dollars outside. The jail is greatly lacking in many of the most important features of the modern jail. It does not provide properly for the separation of prisoners. There is no hospital ward, and no padded cell, and no workshop for prisoners. In 1892, in a petition of Calvin V. Graves, George N. Brown, and Peter A. Ward, to the board of supervisors, it was said: "The county jail is a shame and a disgrace to the populous, growing, wealthy, and otherwise up-to-date county of Jefferson. It is overcrowded, ill-ventilated and illy lighted. It has not one-eighth the breathing space required for the number of its inmates. Persons with contagious diseases, suffering from cancer, are herded in with the rest."

LEWIS COUNTY.

The jail at Lowville, which was built forty years ago, has long been condemned as unsanitary and unfit for a modern jail. Instead of attacking the problem radically, however, the supervisors have been content with enlarging the windows, which will cost some \$900. This at the time of my visit, in August, had been done on the north side. The cells are 5 by 9 and 7 feet high. There is but little ventilation. The jail is very damp. Fortunately the jail population is small, being but 2 at the time of my visit.

MONROE COUNTY PENITENTIARY, ROCHESTER, N. Y.

Nothing can be added to the description and general characterization of this institution by Mr. Brockway last year. In my visit to it

on October 14 I was likewise impressed with the excellency of the plant, the cleanliness of the institution, and the good supervision exercised by Superintendent Webster. The sad thing about this, as about so many other jails and prisons, is the utter idleness of so large a number of men. Here is an excellent plant and a capable superintendent. But with the exception of the men detailed for prison duties the great majority of the prisoners sit on benches in the workrooms under the oversight of a keeper, a few of them whiling away the time by reading, but most of them in absolute idleness. The only relief for this idleness is exercise in the large prison court, where the prisoners are marched about three-quarters of an hour a day.

On the first day of October the population was 213 males and 26 females, a total of 239. The total number of prisoners received during the year was 1,327. Of this number 566 were sent up for public intoxication, 164 were tramps, 126 were committed for petit larceny, 206 for vagrancy, 32 for unlawful riding on trains, 63 for assault in the third degree, 10 for grand larceny in the second degree, 4 for assault in the second degree, 2 for burglary in the third degree, and the rest for minor offenses. Thus it will be seen that the majority of the commitments were for intoxication, vagrancy, and minor offenses.

Of the 1,327 admissions through the year, 715 claimed to be committed for the first time, and there was no means of disproving their statement, though many of them may have served terms elsewhere; 239 admitted that they were second timers; 105 were committed for the third time, 64 for the fourth time, 39 for the fifth time, 46 for the sixth time, 18 for the seventh time, 15 for the eighth time, 25 for the ninth time, 61 for the tenth time. One man has been imprisoned forty times, and yet this man has been committed twice recently under a five days' sentence. These repeaters can easily be identified under the Bertillon system, and it would seem that the courts might avail themselves of the records of the prison before sentencing for five days a man who under an assumed name is posing as a first offender when he has been forty times in this very penitentiary.

The penitentiary had contracts with nine counties last year, namely, Wayne, Orleans, Seneca, Livingston, Tompkins, Schuyler, Gates,

it be had in a new jail with adequate provisions for the labor of prisoners.

Montgomery county is now under the salary system, the sheriff being \$4,200. There is no motive for retaining the prisoners in jail when they might better be sent to the penitentiary. At the time of my visit, August 27, 1905, the population was 41. The average is about 60 or 70. The sixty day men go to Albany. It would be a great relief to have all sentenced prisoners sent to that penitentiary.

ONDONAGA COUNTY PENITENTIARY.

At the time of my visit, November 24, 1905, the population of the penitentiary was 102 men and 15 women. It receives its largest share of prisoners from Syracuse, but has contracts with Madison, Otsego, Lewis, Jefferson, Franklin, and Cortland counties. Boys are also received from other counties—those sentenced for 30 days and over. The county prisoners are mostly misdemeanor police court cases from Syracuse. The total commitments for prison year up to the first of October were 157. The capacity of the penitentiary is for double cells.

When the old penitentiary was built in 1845, legislation immediately following provided that prisoners awaiting trial should be sent to the penitentiary, a portion of which is reserved for jail purposes. The sheriff gets a money fee on prisoners awaiting trial after they have passed also in 1845, made the superintendent of the penitentiary the jailor of the county. The revenues of the sheriff, since, with reference to prisoners is confined to the key fees. The cost of keeping them except when the men are in trial in the court, is on session they are kept for a few days under the key and the sheriff receives pay for them, that is a small

A new penitentiary, which is located at Jamesville, 4 miles from Rome, has been occupied for about three years. It is built of stone and all round about 100,000. It maintains the county, however, something like \$2,000 a year over and above the \$10,000 received by the penitentiary for the support of prisoners from other

Western and Tennessee, Ontario and Wyoming counties, though not under State control, have also sent inmates. From the counties mentioned all prisoners were received. The rest of the admissions—namely,

all those received from Rochester and Monroe county. The average of the penitentiary is 222 cells. The daily average was 176, the maximum number for the lowest number 123. The maximum was reached in February and the minimum in June.

Of the 1,000 commitments, 1,000 were sentenced for six months and under, the rest about the maximum. The sentence for burglary averaged about sixty days and about the same for vagrancy. The average for the days of 35, and for ten days or 300. The longest sentences are for drunkenness. The facility of the penitentiary is well illustrated at Rochester.

Though not pointed out in the report of the executive committee, the organization of prison industries under State control is the only way to deal with the disease in the penitentiaries, yet it would seem that, even if this is arranged, the supervisors of Monroe county might be able to do some excellent penitentiary industries of some sort which could be managed by the county of Monroe and by the inmates working for wages to this institution. In the summer months forty-five men a day are employed on the farm for whom there is no employment in the winter.

MONTGOMERY COUNTY.

The jail at Fonda, built in 1882, is mainly a loafer's hall, prisoners being largely composed of tramps arrested on the New York Central railroad. It is but one of a series of public hotels which tramps use in traveling about without expense to themselves. The word "tramp" no longer adequately describes the fellow who has become a parasite on the railroads. He never walks if he can help it, and he never pays his fare when he rides. Our present laws and their administration are not likely to abate the evil. The Fonda jail is a monumental nuisance. Prisoners are permitted to freely intermingle. There is no adequate provision for classification. The sanitary conditions are defective. The introduction of bathrooms and closets would improve the jail. The only radical and thorough relief

must be had in a new jail with adequate provisions for the labor of prisoners.

Montgomery county is now under the salary system, the sheriff receiving \$4,200. There is no motive for retaining the prisoners in the jail when they might better be sent to the penitentiary. At the time of my visit, August 27, 1903, the population was 41. The average is about 60 or 70. The sixty day men go to Albany. It would be a great relief to have all sentenced prisoners sent to that penitentiary.

ONONDAGA COUNTY PENITENTIARY.

At the time of my visit, November 24, 1903, the population of the penitentiary was 162 men and 15 women. It receives its largest number of prisoners from Syracuse, but has contracts with Madison, Herkimer, Lewis, Jefferson, Franklin, and Cortland counties. Tramps are also received from other counties—those sentenced for sixty days and over. The county prisoners are mostly misdemeanor and police court cases from Syracuse. The total commitments for the prison year up to the first of October were 937. The capacity of the penitentiary is 400 double cells.

When the old penitentiary was built in 1849, legislation immediately following provided that prisoners awaiting trial should be sent direct to the penitentiary, a portion of which is reserved for jail purposes. The sheriff gets a turnkey fee on prisoners awaiting trial. Another law, passed also in 1849, made the superintendent of the penitentiary the jailor of the county. The revenues of the sheriff, therefore, with reference to prisoners is confined to the key fees. He gets nothing for maintaining them except when the men are on trial. When the court is in session they are kept for a few days under the courthouse and the sheriff receives pay for them; that is a small item.

The new penitentiary, which is located at Jamesville, 8 miles from Syracuse, has been occupied for about three years. It is built of stone and cost all told about \$400,000. To maintain it the county, however, pays something like \$55,000 a year over and above the \$19,000 received by the penitentiary for the support of prisoners from other

counties. The institution is clean, comfortable, and surrounded by 125 acres of land. In summer there is sufficient out-of-door work mostly in stone breaking. The penitentiary has a crushing plant which supplies stone to some of the adjoining towns. There is a great demand for crushed stone. In the winter little can be done at outside work. In the winter of 1902-3 many of the men were employed at stripping willows. In the town of Salina in Onondaga county is a large basket factory. Work is given to the poor in this industry but it is difficult to get willows stripped in sufficient quantities to keep the people at work, so that the prisoners help to some extent in the industry.

The penitentiary makes shoes for its inmates and for the court house. The maximum population was reached on the 12th day of February, 1903, 303 convicted males and 16 females. The average sentence of those in custody on the 13th of December was one hundred and sixty-four days. One man is under a cumulative sentence imposed on an accumulation of misdemeanors, amounting in all to two years and three months. "This man," said the superintendent, "has been in the penitentiary ever since he has been old enough to come into the doors." Referring to the treatment of tramps, the superintendent said: "The justices of the peace will send a man in May or June and give him fifteen or twenty days, but in the fall they give him six months. Consequently they go out in the spring weighing thirty or forty more pounds than when they come in, and they go out with good clothes and with shoes on. If this policy were reversed we should have fewer tramps. The farmers in the county this fall could not get their crops in because they could not get good labor. They would come to the prison and ask if there were any good men going out that could be sent to them, but I could not get one of them to go. It is surprising, too, how rapidly these tramps travel from one part of the country to another. I have known men to go out of this penitentiary and in from three to five days letters to their cronies here will come back mailed from Texas and other places to which they have ridden on the fastest trains. Beating their way, they can get along as fast as you can if you have money."

November 25 I had the honor of addressing the board of supervisors in Syracuse, pointing out the advantage of State control and the gain that would come not only to the county but to the State as a whole if the penitentiaries could be acquired by the State and used for the treatment of misdemeanants.

ORANGE COUNTY.

Orange county has two jails, one at Newburg and one at Goshen. The jail at Orange consists of a steel cage set within the old stone walls. The accommodations are defective and the jail has been condemned. At the time of my visit to Goshen, December 14, to address the board of supervisors, a report of a committee favoring the reconstruction of the Newburgh jail was adopted, and plans submitted by Mr. William J. Beardsley of Poughkeepsie were approved and adopted. The jail at Goshen is in a better condition so far as physical conditions are concerned. An attempt has been made to employ the men a portion of the time at stone breaking in the yard.

The most important subject demanding attention in this county is the change from the fee to the salary system. Much complaint has been made as to the excessive bills for the support of prisoners during the past year. It is claimed that many prisoners might have been sent to Kings County penitentiary and maintained at less expense even including the cost of transportation, than by commitment to either of the jails of Orange county. Perhaps there has never been a more profitable time for the sheriff of Orange county and his under-sheriff than during the past year. The county pays its sheriff \$3.25 per week for board for prisoners. The reports of the board of supervisors for the last ten years show that the sheriff's bills have nearly doubled within that time, and last year they were the largest in the history of the county, the total bills of sheriff and under-sheriff being \$25,553.04. Of that sum \$16,504.43 was for the board of prisoners. The board bill of the sheriff's office for the year 1902 for the entire county showed an increase of \$4,938.15.

Examination of the records of the Newburgh jail showed that in addition to the five, ten and fifteen day men 64 persons were com-

mitted for thirty days; 24 for sixty days; 1 for ninety days; 6 for three months; 13 for six months, and 1 for one hundred and sixteen days. It is evident that many long-sentence prisoners—that is, prisoners who are sent for sixty days and over—are committed to the idleness of the Newburgh jail who might be sent to the Kings County penitentiary and kept profitably employed.

I was courteously received by the board of supervisors and made an argument before them in favor of the change from the fee to the salary system.

ORLEANS COUNTY.

It is hardly worth while to report on the wretched condition of the old jail at Albion, since it has been torn down, and at the time of my visit a new jail, of which Mr. W. J. Beardsley is architect, was in process of erection. Meanwhile the prisoners were subject to uncomfortable crowding in temporary quarters.

The new jail will be directly connected with the new house of the sheriff constituting together another imposing building, of which Albion already has several.

At the time of my visit there was no little feeling in regard to alleged abuses under the fee system. Under the pressure of these charges the sheriff had resigned. If but half of the stories told of the abuses in this county are true, it is not surprising that taxpayers were protesting against the sheriffs' bills.

An opportunity was given me to address the board of supervisors on the subject of the change from the fee to the salary system, and there is every reason to believe that Orleans county will secure the passage of a bill at the next Legislature authorizing the change from the fee to the salary system.

OSWEGO COUNTY.

OSWEGO JAIL.

This jail, built some seventeen or eighteen years ago, is what is called a rotary jail, and is a special invention of the Pauly Jail Company. The circular steel cell structure, surrounded by an outer corridor about 6 feet wide, is set within circular brick walls. The cell

structure, like a carousel or "merry-go-round," has a central axis or pivot upon which it revolves. Each of the cells is a segment of the circular structure, much smaller at the center than at the circumference. An encircling fence of steel bars serves to separate the rotary cell structure from the outer corridor and also serves as the outer wall of each cell. This fence has but a single door. When a prisoner is to be admitted to his cell it is necessary to turn the rotary structure around until the door of his cell is opposite the door in the grating. This is done by turning a crank in the keeper's room. Thus whenever a single prisoner is admitted or turned loose into the corridor for exercise the whole jail must revolve on its axis. The only place for exercise is in this outer corridor. The cells are 2 feet 7 inches at the small end toward the center and 7 feet 4 inches at the circumference. Briefly described, the jail is simply a revolving steel tower, surrounded by a steel fence, with an intervening corridor bounded by a brick wall. Canvas hammocks are used for beds, with blankets without mattresses. Light is furnished from the windows of the outer corridor. The cells, ten above and ten below, are very imperfectly lighted. The men are allowed fifteen minutes each for exercise in the corridor. Ventilation is secured from the basement, the air passing through the center of the tower. Closets in the cell are flushed from a circular tank in the cupola. The kitchen is below in a separate apartment and ought to be furnished with an iron staircase.

This jail when built was thought to be entirely secure, but there were two methods of evasion. Prisoners would crawl up through the space surrounding the central flue pipe and go out on the cupola at the top. Another method of escape was by collusion with outside parties who secured the admission of saws to some of the prisoners. By tying this saw to the end of a stick prisoners were enabled at night to saw not only the grating in front of their cell but the grating in front of the window 6 feet away.

The accommodations were much improved by putting up an annex last year. This consists of a brick structure with cement floors amply lighted with six windows. It is fitted up with five cells, four

of which are provided with wooden doors and wooden partitions. It seems a mistaken economy not to have built them of steel to begin with. There is a good bathroom and closet. This annex is for women, except the upper floor, which is for boys. No employment is furnished to prisoners. At the time of my visit, August 29th, there were 39 prisoners, and no women or boys.

PULASKI JAIL.

Oswego county, in addition to the building described above, has a second jail at Pulaski. It was built about 1846. There are six cells in all, 7½ feet wide by 15 feet long and 10 feet high, so that the cells are ample in size. There are windows opening to the light which are well barred. A cell set apart for women has a wooden floor and ceiling. The steel cell used for those awaiting trial is more secure, very dark, and a very uncomfortable place compared with the cells for sentenced men. At the time of my visit the population was 7, 1 sentenced for sixty-seven days, 1 for ninety days, 2 for four months, 1 for ten days, 1 for forty days, 1 for one hundred and fifty days.

The keeper seemed to take pride in keeping his jail clean.

By vote of the supervisors prisoners have been worked for three weeks on the road.

SARATOGA COUNTY.

The jail at Ballston is well situated in a fine part of the town and with the courthouse and law library forms an imposing structure. The jail was built originally in 1889. In 1892 it was remodeled in the interior and a steel cell structure erected within the original outer walls. The remodeling was done very thoroughly so far as sanitary considerations are concerned; \$28,000 was spent in the reconstruction and in building new quarters for the women. A new law library, adjacent to the jail, was built at the same time, making the total outlay some \$59,000. As thus reconstructed, the jail furnishes facilities for classification which it greatly lacked before. It is now possible to separate the sexes and juvenile offenders, and also to make the necessary separation between those awaiting trial and sentenced prisoners. The best part of the jail is now the women's quarters. Here the architects were not handicapped by the old jail

and worked on broader and better lines. The six new cells for women, three on each floor, are of unusual size, being 8 feet by 5 and about 14 feet high. Each cell in this department is provided with washbowl, running water, and a water-closet in a recess which is closed by an iron sliding door from the rest of the cell. Two iron beds swinging at the sides from the wall are permanently provided in each room, but as yet there has been no occasion to double up. At the time of my visit there was but one woman, colored, in the jail. There is a bathroom with stationary tubs and hot and cold water. A large room, $11\frac{1}{2}$ by 18 feet, has been provided for the detention of women witnesses or debtors. This is as yet unfurnished and no occasion has required its use. The cells on the women's side are well lighted because of the narrow corridor which intervenes between the cell and the windows.

The older part of the prison, the men's quarters, though well ventilated, is deficient in light and notably on the east side, where the wall of the new law library building cuts off much of the light. In the afternoon prisoners can only see to read by getting close to the grill of the exercise corridor. The difficulty can only be partially remedied by using reflectors.

There are four tiers in the men's department, two above and two below, two stationary tubs and a shower bath in every tier.

In this jail, as in others, too much space is sacrificed to the outside or keeper's corridor, which is unnecessarily wide, about $6\frac{1}{2}$ feet. The system of ventilation and sanitation and heating is good.

There is no jail yard and no place for exercise except in the corridor in front of the cells, into which prisoners are turned promiscuously. The cells are 5 feet 8 inches by 8 feet high, a toilet in each room. The jail is clean. Mr. William H. Smith is the under-sheriff and jailor. The sheriff, F. Carpenter, does not live there.

The population at the time of my visit, August 20, was 32 men and 1 woman; 9 were awaiting trial.

There was formerly work at breaking stone in a barn secured by the county, some blocks away, but it cost too much to get the stone.

The county is now under the salary system. "Under the fee sys-

tem," said the keeper, " we averaged 89 the year through. The average last year has been 40, and it cost 86 cents a week for food." The sheriff receives no fees whatever now. This change took effect January 1, 1901.

SCHENECTADY COUNTY.

The jail at Schenectady is built in three tiers and contains seventy-two steel cells. It has modern features, such as provision for the separation of prisoners, electric light, separate cells for women, a padded cell, and a shower bath. The cells are of good size with two steel cots and lavatories. There is a good juvenile cell with windows opening out on the driveway of the yard. The population December 1, 1903, was 26 men and 3 women.

From May 25th to November 1st, 2,674 days' labor were done by the prisoners in macadamizing roads in the town of Glennville. There has been a large decrease in the number of tramps, some of whom have carried as far as Chicago the warning to the fraternity not to come to Schenectady. From three to six guards are employed and are paid by the supervisors at the rate of \$3 a day. Each guard is a deputy sheriff and gives bonds for the faithful performance of his duty. In the winter, of course, this out-of-door work can not be done.

Through the courtesy of the board of supervisors I had an opportunity to address them on the subject of a change from the fee to the salary system. The sheriff receives \$3.50 for each prisoner. The contract price for United States prisoners in Albany is \$2.10. In Saratoga county the cost of food per capita is 86 cents a week.

ST. LAWRENCE COUNTY.

Nothing need be added to the general description of the jail at Canton given in our report of last year. The population at the time of my visit, September 1st, was 38, 24 of whom were under sentence, 13 awaiting the action of the grand jury, and 1 a prisoner for debt. There were 6 women, 5 under sentence and 1 awaiting trial. The average sentence was from three to four months. Last year the prisoners had some employment working on the roads and crushing stone. The prison population then was more than twice as large, numbering 84 prisoners.

The women's quarters are well separated from the men's prison and a matron is in charge of women prisoners. St. Lawrence county is now under the salary system.

The Chinamen, about 25 in number, occupy, as before, an attic and use the lower rear corridor of the jail as a kitchen. They remain in jail from sixty to ninety days awaiting action of the United States commissioner as to their right of admission to the United States. They give but little trouble to the jailor, taking care of their own cooking and sleeping in wooden bunks on wooden pillows of their own make.

WARREN COUNTY.

Few jails in the country furnish prisoners with a more beautiful view from the corridors, in which they are freely allowed to consort, than the jail of Warren county. Caldwell, the capital of Warren county, is a charming town at the southern end of Lake George. From the main street the land gently slopes to the lake. On this slope, directly in the rear of the courthouse, with which it is connected by the sheriff's office, is the county jail. Its situation excuses the jocular remark of a summer resident, who in my hearing termed it "The Hotel Bellevue." In respect to air and sunlight, the prisoners are as well situated as the denizens of the adjacent summer hotels. But in one very important respect the jail is most unfortunately placed; it is built on a level with the sidewalk and without any intervening wall. It is two stories high, with four windows about 5 feet high on each story. The windows of the lower floor open directly upon the sidewalk. There is nothing, therefore, to prevent communication, both verbal and manual, between the prisoners and passers-by.

That the jail authorities have felt the inconvenience of this situation may be inferred from the following notice placed on the outside: "All persons are forbidden to stand by or talk through these windows." That the notice is not strictly obeyed on either side of the wall was evident while I was reading it. "Hello, Ben," was the greeting from a passer-by to an inmate; "Hello, Fred," was the response from the window, so that recognition and greetings and much more extended communication are easily possible and frequent.

More potent in inducing passers-by to give the jail a wider berth is the unpleasant fact that prisoners expectorate tobacco juice upon the sidewalk. As there is no space for an outside wall, the only remedy is in screening the lower part of the windows with wire and ground glass or with steel barriers of sufficient height.

There is a corridor on each side of the central cell block, six cells on each side of the lower tier and five on each side of the upper tier, making twenty-two cells in all. One room is used as a hospital and is furnished with closet and sink. There is no distinctive woman's department; when women are committed they are now placed in a room on the upper corridor, where communication with the outside is less feasible.

The jail was built some five years ago; the steel work was good, but the brick work and the floors are rotten and defective. A room with water-closet and bathroom on the inside corridor is accessible to prisoners.

The jail population at the time of my visit was 17, of whom 5 were awaiting trial. The offences are mainly intoxication and vagrancy. The sentences range from twenty to ninety days. Long-sentence men are usually sent to the Albany County penitentiary. The sheriff is allowed \$3 a week for the board of prisoners and the regular fees for entrance and discharge.

The prisoners are not employed, but spend their time loafing in the corridors, smoking and playing cards.

The fee system exists in this county, but there are certain members of the board of supervisors who favor a change to the salary system.

WASHINGTON COUNTY.

In no county that I know of are the county offices so widely scattered as in Washington county. They seem to have been distributed with a distinct effort at inconvenience. Thus while the courthouse is at Sandy Hill, the jail is at Salem, which is also the residence of the sheriff. The county clerk has his office at Argyle and the county treasurer at Granville. It is not surprising that some of the map-makers should have become confused and put the capital of the county in the wrong place.

The jail at Salem is a decrepit old survival of an antiquated structure long since out of date. It has been repeatedly condemned and ought to be replaced by a new building. The cells are of brick, arranged in three tiers. They are barely long enough for a six foot bed, are 5 feet wide and 7 feet high. About half of the jail was fitted with steel cells some twelve years ago and these are slightly larger than the others. The surrounding corridor is narrow. There is no sufficient provision for the separation of prisoners. To get to the room assigned to the women one must pass through the men's corridor. The women's room is larger and has windows open to sunlight and air, but as only one room is devoted to this purpose the doubling up of prisoners is inevitable if more than one is committed at the same time. At the time of my visit there were 12 men and 2 boys, aged respectively, 17 and 19 years, and 1 woman. There is no probation officer in connection with the county court and no matron for the women. But the sheriff's wife serves as matron when necessary. The people of the town admit the pooriness of the jail, but public sentiment has not yet reached the point of insisting on a new one.

There is no employment for prisoners. The county is now under the salary system. The change from the fee system has been a great improvement.

HOUSE OF REFUGE FOR WOMEN AT ALBION.

While at Albion I visited, October 12, the reformatory for women at this place. It is well situated just outside of the beautiful village. The entire site comprises 97 acres, of which 25 acres are enclosed and 62 are used for farming purposes.

The institution is conducted on the cottage plan, has a capacity of 150. The limit of age is from 15 to 30, though they seldom get a girl over 25 years of age. Much time and attention are devoted to gardening. On the day of my visit the number of the inmates was 133. Miss Kertin, the superintendent, reports that there is no trouble in finding places for the girls. The buildings were kept scrupulously clean. It might be well for sheriffs and jail keepers to make a pilgrimage to this institution to find out what cleanliness in a penal institution means.

The reformatory needs a chapel or general assembly room, and it is to be hoped that the next Legislature will appropriate sufficient money for this purpose.

STATE PRISON AT AUBURN.

I visited the State prison at Auburn in the fall. There is little new to report in regard to this institution, which is exceptionally well conducted under Warden Mead. The prisoners are now working about six hours a day, and they are brought out into the yard in companies to exercise an hour each day when the weather is good.

Every man who is absolutely illiterate is taught to read and write. The school is under control of Chaplain Herrick. There are on an average from 60 to 75 in the school.

It is a refreshing contrast after seeing the idleness in the jails and penitentiaries to go to Auburn and find men vigorously at work for at least six hours a day. The discipline and the health of the establishment are good, and Warden Mead is doing all he can with the material at his disposal.

THE STATE PRISON FOR WOMEN.

I also visited the prison for women at Auburn, of which Mrs. Welshe is the efficient superintendent. The women are mainly employed at knitting, sewing, and mattress making; a few are employed in the large garden. The conditions for exercise, cleanliness, and consequently health, are generally good in this institution. The service, however, would be improved if the matrons were under civil service rules.

When I was there I was shown a mulatto child about 5 years of age, whose mother is in prison. There seems to be no reason why under the existing law the child should remain there instead of being put in some family or institution outside. The law of 1893 relating to the State Prison for Women, chapter 306, section 11, says:

In case any woman committed to said prison shall, at the time of said commitment, be the mother of a nursing child in her care, under one year of age, or be pregnant with child which shall be born after such commitment, such child may accompany its mother and remain

in said prison until such time as, in the opinion of the physician, such child can be properly removed therefrom and suitably provided for elsewhere; and in case such woman, at the time of such commitment, shall be the mother of and have under her exclusive care a child or children more than one year of age, and who otherwise might be left without proper care or guardianship, it shall be the duty of such court so committing said woman to cause such child or children to be committed to such asylum as may be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care.

THE HART'S ISLAND REFORMATORY.

Of the steps taken in reformatory legislation in New York State during the present year the law in relation to the development of the reformatory at Hart's island is one of the most important. The need of a reformatory for misdemeanants covering mainly the period from 18 to 21 years for boys who under the law can not be admitted to the House of Refuge, the Catholic Protectory, or the Juvenile Asylum, has long been felt. None have been more conscious of this need than some of the city magistrates or judges of special sessions who have had to dispose of such cases. Two years ago Judge Deuel, then chairman of the board of magistrates of the first division, recommended the establishment of such a reformatory by the city. In the spring of 1901 the attention of the Prison Association was called to the fact that many of these boys were committed to the workhouse at Blackwell's island, where they were thrown into the company of old and hardened offenders and where they lived a life of almost total idleness. A report on the subject brought out the necessity of further provision for this class of boys.

Subsequently the attention of Hon. Thomas W. Hynes, commissioner of correction, who assumed office January 1, 1902, was called to the condition of these boys, and Mr. Hynes was determined to avail himself of a provision in section 698 in the New York charter which authorizes the commissioner to establish such schools or classes for the instruction and training of youthful offenders as may be authorized by the board of estimate and apportionment. To this end the commissioner was authorized to set apart one of the penal institutions for the custody of such youthful and less hardened offenders.

The commissioner had also power in his discretion to transfer such offenders from any other of the penal institutions of the city.

Commissioner Hynes therefore decided to remove the boys from the workhouse at Blackwell's island to Hart's island, an island some distance up the sound, where they could be entirely separated from old offenders. Certain buildings on this island formerly used for an insane asylum were fitted up, and comfortable quarters were secured for about 50 boys. Arrangements were made with the board of education to supply a teacher. Half of the boys attended school in the morning and the other half in the afternoon, each set working upon the island the other half of the day.

The condition of the boys removed to Hart's island was thus greatly improved, and all this was effected with a comparatively small amount of money.

The limitations, however, of the Hart's island school were as obvious to Commissioner Hynes as to those who officially inspected it. One of these limitations was that imposed by the definite and, in almost every case, by the short sentence. Boys committed for periods of from three to six months had to be discharged at the expiration of this brief period whether ready for such discharge or not. Under the law there could be no provision for parole, and therefore no legal control exercised over the boys conditionally liberated, for every discharge was absolute. That most important adjunct of a reformatory, trade schools, was absent, and even if established it was evident that not much could be done in a period of six months.

The need of enlarging the scope of a law and of developing into a first class reformatory the school already established at Hart's island was recognized at the fourth New York State Conference of Charities and Correction, held last November, in papers by Judge Julius M. Mayer, Commissioner Hynes, Hon. George McLaughlin, secretary of the State commission of prisons, and by other speakers. As the result of this discussion, which included the needs of the whole State as well as New York city, a committee was appointed consisting of Judge Mayer, Commissioner Hynes, James Wood, president of the board of managers of the Bedford Reformatory, Frederic Almy, Thomas Scanlon, George F. Canfield, president of



HART'S ISLAND: THE BARRACKS.



SCHOOL-ROOM AT HART'S ISLAND.







HART'S ISLAND: CHURCH EXTERIOR.





HART'S ISLAND: INTERIOR OF CHAPEL.

HART'S ISLAND: WOMEN'S QUARTERS.

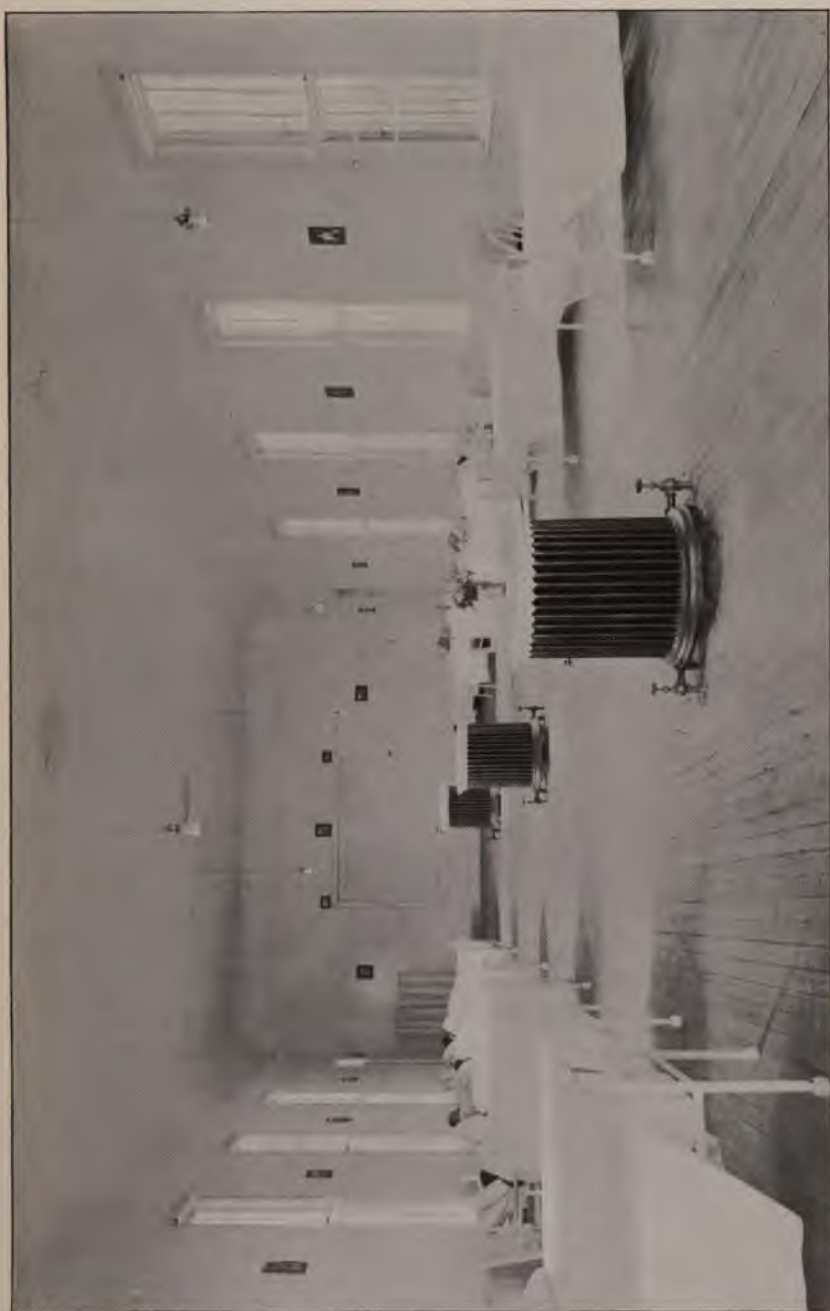




HART'S ISLAND : WOMEN'S DORMITORY.



HART'S ISLAND: MEN'S HOSPITAL.



the State Charities Aid Association, and Samuel J. Barrows, corresponding secretary of the Prison Association of New York. The committee held a number of sessions and invited to their deliberations Mr. McLaughlin and also several members of the board of city magistrates and of the court of special sessions of New York. Judges Olmstead, Barlow, Dooley, and Tighe attended some of the meetings. After such deliberation it was decided to divide the work of the committee into two parts, namely, first, for the preparation of a law for the continuation and development of the Hart's island school; second, to draft a bill providing for the establishment of a reformatory for misdemeanants for New York State. Advantage was taken of existing laws and existing experience in drafting these bills. Inquiry at Albany showed that it would be practically impossible to secure this year an appropriation for a State reformatory for misdemeanants, as Governor Odell frankly said that he would not approve of such an appropriation. A general law for the State was therefore not presented; and the committee decided to perfect the Hart's island bill and use every effort to secure its passage. As the bill provided for no appropriation by the State and the expense of the reformatory is to be borne by the city of New York, no opposition was offered on financial grounds. The only opposition from the suburban counties was by the sheriff of Queens county, who authorized the extravagant statement made by Senator Keenan on the floor of the Senate that the law, if passed, would take away so many of his prisoners as to practically close up the jail of Queens county. If there are so many young men in Queens county needing reformatory treatment it furnishes an excellent argument for the establishment of some other institution than the Queens county jail, where these young men are kept in idleness in a public loafer's hall for the benefit of the sheriff. No better example could be furnished of the pernicious effect of the fee system than that the sheriff of Queens county should demand that young men who are capable of reformation should be sent to his jail and be maintained in idleness and under the most contaminating influence in order that he might get the profit which comes from boarding them at four times as much as it actually costs.

In order that the revenues of the sheriff of Queens might not be disturbed the bill was amended so as to take effect in Queens county after the termination of his service, January 1, 1907. In the other counties of Greater New York it will take effect January 1, 1905. This will give an opportunity for some appropriation by the board of estimate and apportionment in the budget for next year.

The most important features of the law, which is in the form of an amendment to the charter of New York, are the provision for the continuation of the Hart's island school and the further classification of youthful offenders; second, the age limit is made from 16 to 30 to correspond with the age limits for felons who may now be committed to Elmira. Experience has shown that that limit is not extreme, although the great majority of offenders would range between the ages of 18 and 23. It was felt that misdemeanants should not be deprived of any advantage in the way of reformation which is now accorded to felons. This does not mean that all offenders within this age limit shall be sent to the reformatory, but only those whom judges may consider to be good subjects for reformatory treatment. Nor does it mean, either, that in the development of the institution offenders from 18 to 30 shall necessarily be kept together. It will be quite possible for the commissioner to keep the small number of old offenders by themselves. Third, commitments under the new law will be made not for a definite period but under the indeterminate sentence. It was necessary, however, to fix a maximum limit, as legal objection would be made if prisoners could be held longer in a reformatory for misdemeanants than in a reformatory for felons. The maximum was therefore fixed at three years, which is about the limit under which prisoners can be held for misdemeanors when a maximum fine is added to the maximum period of imprisonment. Fourth, a new and interesting feature of the law is that the parole board, which is to be composed of nine members, will have two members from the courts of special sessions respectively of New York and Brooklyn and two members from the board of city magistrates, one

from each of the two divisions. This will give an opportunity for the judges who commit to this institution to become closely identified with its interests and with the fortunes of prisoners who may be committed to it. In addition to the commissioner of correction four citizens will be chosen by his honor the mayor as members of this board. Provision is also made for the appointment of a parole officer.

The law received the hearty approval of his honor the mayor, to whom it was submitted before it was introduced at Albany. The success of the reformatory will now depend upon two things: First, upon the financial support which shall be given to the reformatory by the board of estimate and apportionment. There will be need of a large increase of accommodations and the necessity of establishing and equipping trade schools. Second, for a reformatory to succeed it must have a first class superintendent. In its incipient stage a man is needed with skill and constructive and organizing power and also endowed with all the personal gifts and if possible with the experience which go to make up the ideal superintendent of a reformatory. Such men can be had, and it is to be hoped that some such man will be chosen for this important office.

PROBATION WORK.

While this association has a general interest in the work of probation wherever conducted, and is urging its extension and improvement throughout the State, it has a special responsibility for the work conducted by its own agents in the courts of New York city. This work is concentrated in the higher criminal courts of the city, the court of general sessions. As only persons accused of felony are tried in this court, the success of probation with reference to persons convicted of the more serious offenses is an indication already supported by independent proof, that in less serious offenses and under lower courts probation may be equally successful.

As a part of a judicial system it has long since passed beyond the stage of experiment. The percentage of success depends not only upon the character of the offender, but upon the thoroughness of the investigation made by the probation officer, upon his tact and good judgment, and upon the seriousness of the conditions imposed by the court and the strictness of the surveillance.

It is a gratification to be able to repeat the report of last year that at least 90 per cent of our probation cases are doing well.

Number of cases referred for investigation by judges of the court of general sessions.....	497
Number of persons on whom sentence was suspended on recommendation of the agent.....	138
Tried and acquitted through aid of the association.....	49
Number now on probation.....	118

RESTITUTION THROUGH PROBATION.

One possibility and result of the probation system, not before noticed in these reports, has received interesting illustration during the last year. We refer to the restitution made to their victims by those placed on probation. In some cases, of course, the nature of the crime does not permit any restitution in money; but in cases of

larceny and other offenses against property it is sometimes possible to secure the return of such property or its equivalent. During the last year the sum of \$4,680 has been returned by probationers to the victims of their offenses. This sum has been secured and paid to persons to whom the recovery of this amount was of substantial importance. It might not have meant much to a wealthy firm; it did mean much to those who could ill afford to lose it. Beyond this the moral effect on the probationers themselves in making this restitution was of the highest value. It was not secured merely as a condition of probation, but was one evidence of the sincerity and good faith of those placed under suspension of sentence.

One other important fact is to be noticed: *Restitution could not have been effected if the convicted offenders had been sent to prison.* Not only would it have been impossible for them to earn the amount under the present laws of the State of New York, but these persons if committed to prison would hardly have earned more than the cost of imprisoning them.

From the reports of our agents we extract a few cases of special interest, reminding our readers that many other cases might be cited which if less interesting are hardly less important.

HUNGER AND WANT LEADING TO CRIME.

A young woman and her mother came to New York from a southern city hoping to secure remunerative employment. They had always been in comfortable circumstances and had never known what it was to be compelled to work for a living. The sudden death of the only male member of the family left them without means. Rather than depend upon the charity of neighbors they came to New York. For about a year the pair made a scanty living by making fancy collars and fine needlework. They lived in a small furnished room for which they paid \$2.50 a week when heat from a gas stove was required, and \$2 a week at other times. The fashion in women's collars changed, and finally work gave out altogether. Unpaid rent accumulated for two weeks and they were turned out into the street in midwinter. For two nights they walked the streets together and had absolutely no food. In the daytime they were able to keep warm by going from one department store to another. The daughter, a

young woman of 22, and of pleasing appearance, heard a gentleman give his name and address in one of the big stores and order some goods charged to his account. She was hungry and desperate, and it occurred to her that it would be easy to get goods on his name and buy food and shelter from the bitter cold. She ordered an expensive article, had it charged in the name overheard, took it herself instead of having it delivered, pawned it, and with the money reengaged the old hall bedroom and bought food. It was easy; so she repeated the operation, or rather attempted to, and was arrested. She immediately confessed her wrongdoing and was sent to the city prison to wait trial. Her mother was soon homeless and hungry again, and when visiting the prison to see her daughter the girl gave her prison bread. This being noticed by the matron, the case was brought to the notice of some benevolent ladies, who provided for the woman.

When the case came up in general sessions Judge McMahon referred it to this Association for investigation and report. The superintendent of the department store on hearing the facts in this sad case asked permission to withdraw his complaint, and on the report of the general agent of this association the young woman was released on probation in the care of a member of the woman's committee. Work was procured for both women. A month later she wrote as follows:

"NEW YORK CITY, N. Y.

"My dear Mr. Kimball: I had no chance to speak to you at the courthouse, nor have I had an opportunity to come to see you, but I want to thank you, much more than I have words to express it. How grateful I am for what you did for me!

"If it had not been for you and Miss—— I would still be in that horrible place, and when I think of it, it makes me shudder.

"I have realized since what a wrong thing it was that I did, and I am bitterly repentant and never again through my power or actions will I ever be there again.

"I *can't* thank you, Mr. Kimball, but I shall try in every way to show my gratitude to those kind friends who stood by me and helped me so much. My mother wants me to thank you in her name also, and we are both more than grateful.

"Wishing you a very Happy New Year and again thanking you for my Merry Xmas, I remain,

"Yours respectfully."

ACCUSED AND VINDICATED—HOW OUR AGENTS MAY SOMETIMES HELP
THE COURT AND THE DISTRICT ATTORNEY, AS WELL AS THE
PRISONER.

E—— G——, 68 years of age, having entered a plea of guilty to manslaughter in the first degree on the advice of counsel, was remanded to the Tombs for sentence by Judge Newburger, and the agent of this association was requested to make an investigation as to the character and reputation borne by the defendant prior to his arrest. G—— was charged with having caused the death of his wife by striking her with an iron cooking pot. The brief submitted by the district attorney said that the defendant was a hard drinking man, of a quarrelsome disposition, and that he had been arrested a number of times and sent to the island for intoxication and disorderly conduct. A woman was ready to testify that on the night when Mrs. G—— was injured and sent to the hospital she heard screams in the apartment occupied by G—— and his wife; that she ran down stairs, but could not at first get into the rooms; a little later she did gain access, and was ready to swear that she saw the prisoner strike his wife with the iron pot; that he kicked her, and finally emptied a kettle of stew over her prostrate and insensible body, saying he was glad she was dead. The brief went on to say that the woman was taken to the hospital in an ambulance; that she died *a few hours later* and that her death was induced by violence.

After a few days a report was made to the court that something more than character and reputation needed investigating, and Judge Newburger directed the Association to make a most thorough and searching investigation of all facts and circumstances connected with the case. It was found that G—— had been in some trouble eight years ago prior to the death of his first wife, but during the eight years after his marriage to the deceased woman his character had been good; he had been arrested once in that time for intoxication, but was discharged the

next morning. Six neighbors said he was not quarrelsome; on the contrary, they said he was very peaceable and quiet, working hard at his trade of shoemaking for very small wages. His employer, the priest of the church he attended, and some property owners united in giving him a good character and insisted that he should never have been arrested, much less indicted by the grand jury. The woman who was ready to swear to so much against him bore a bad reputation, was addicted to drink and was known to the street loafers as the "blind piper's wife," she consorting with a blind man who played the piano in a vile dive and spending most of his earnings in drink.

The ambulance surgeon who carried the woman to the hospital said there were no traces on her clothing of a kettle of stew having been emptied over her; that there were no bruises or contusions on her body and that she was a patient in the medical ward of the hospital. The doctors who attended her said that if she had been beaten and abused as stated in the district attorney's version of the case she would have received treatment in the surgical, not the medical, ward. Another statement of the hospital officials was most important. They said that the woman died of apoplexy—hemorrhage of the brain—and that the hemorrhage was internal and not external. If this hemorrhage had been induced by violence, it would have been external. She died, they said, nine days after being received—not "a few hours later" as the district attorney had it—and gave it as their opinion the deceased came to her death from natural causes. They ridiculed the idea of murder.

In answer to the allegation as to his conduct on the night when his wife was taken to the hospital, the prisoner said he returned from work just as it was getting dark and reaching his rooms found the door open, which was unusual. He called loudly to his wife, and getting no answer, went into the room in the dark intending to light the lamp. He fell headlong over his wife's body and made an outcry which brought the other tenants to the apartment. After the ambulance had gone, he said to the landlord in the presence and hearing of other tenants that he was

glad he had no breath of liquor on him or they might have blamed him for her condition. His employer verified nearly every statement and said the defendant worked for him till dark on the day of the alleged murder and was sober when he went home. On the night the woman was taken to the hospital the defendant was sitting on the hospital steps at 1 o'clock in the morning and complained because he was not allowed to see his dying wife.

Some days later he was arrested and held to answer on a charge of murder. A month or more after that he was indicted for manslaughter by the grand jury. He entered a plea of not guilty, and, as he was without means, counsel was assigned him by the court. When the case came up for trial, after examining the papers, his lawyer advised him to plead guilty, which he did as a part of the legal procedure without understanding what it really meant. The court then referred the case to the Association, as stated, and the prisoner was interviewed in the Tombs. He persisted in declaring that he was not guilty of the crime, and the facts as related all seemed to bear out the truthfulness of his story.

Report was made to Judge Newburger, who was so much surprised by the evidence presented that he sent the papers to District Attorney Jerome for consideration. A short time after this he ordered that the plea of guilty be cancelled and that the prisoner be tried by jury. The lawyers then asked to be excused from the case, which request was granted, and Mr. Lewis Stuyvesant Chanler agreed to try it. While he was engaged in preparing, the district attorney's office was making investigation based on the report made by this Association and on the publicly expressed opinion of Judge Newburger that the evidence was not strong enough to warrant any judge of the court of general sessions permitting it to be presented to a jury.

The district attorney finally came to the same conclusion and recommended the prisoner's discharge. The official stenographer's account of the final disposition of this most important case is as follows:

Court of General Sessions, Part III.

THE PEOPLE OF THE STATE OF NEW
YORK

vs.
EDWARD GOFF.

Before Hon. Joseph E. New-
burger, J., and a jury.

Indictment filed October 30, 1903.

Indicted for manslaughter in the first degree.

NEW YORK, *March 18, 1904.*

The defendant being arranged for sentence:

The Court: Now, in this case of Goff—this defendant was indicted in October last, on the 30th of that month, charged with the crime of manslaughter.

On the 23d of November last, upon the advice of his then counsel, who were led to do so by reason of certain statements they had received, he pleaded guilty to the crime of manslaughter in the second degree. The plea was offered and accepted by me.

I caused an investigation to be made. I spent the time from November until February making as thorough an investigation as I think I ever made in any case that has come under my observation either while at the bar or since I have been on the bench.

I want to take this public opportunity to publicly thank Mr. Kimball, the agent of the Prison Association, for the services that he rendered to me in this case, and the trouble that he took in the investigation that he made.

I not only examined the reports that I received from Mr. Kimball, but also the testimony that was at the command of the district attorney; and after such a length of time and after such a thorough investigation I deemed it to be my duty to direct that the plea of guilty be withdrawn and that a plea of not guilty be substituted.

On the 4th of February I made such an order.

I then assigned Mr. Waldheimer and Mr. Chanler as counsel for this man, the other counsel having asked to be relieved.

Since this action of mine the district attorney has caused an investigation to be made and from such an investigation he has recommended to me that this defendant be discharged upon his own recognizance, which bears out the action that I took in advising the other plea to be withdrawn.

There is considerable doubt whether any jury ever would have convicted this man.

While the charge is a very serious one—the person who died or was killed was the wife of this man—yet the evidence in the case

creates more than a reasonable doubt as to whether this defendant caused her death.

The testimony of the physician, as to the cause of death, is that she died from natural causes.

The report of the ambulance surgeon and the doctors in charge of the hospital, at the time that the unfortunate woman was brought there, make out a very strong case of a reasonable doubt as to the cause of death. Therefore, the district attorney is justified in making the recommendation that he has made to me.

I will grant the motion of the district attorney and will discharge this defendant.

Some good people, with whom he has been employed, I understand, are here in court to-day and they will see that he gets a home. He is alone in the world, I am told.

Now, I want to say this to you, Goff: Do you understand what I have said?

Defendant: I do, sir.

The Court: Now, I want to say this to you, I want to give you a little advice. From what I can find out from people in the neighborhood in which you have lived you have always been known as a very hard-working man. The trouble with you is that sometimes you indulge too much. You have arrived at an age when you know that that is bound to get you into trouble. You have had this unfortunate experience; you have been imprisoned for more than six months; you have had an opportunity to see and think for yourself what the result of it is. I am going to let you go, Goff.

The Defendant: I thank your Honor.

The Court: But you want to understand that the best thing for you to do is to keep away from liquor.

The Defendant: I intend to, your Honor.

The Court: That's right.

The Defendant: And I intend to go and live with my daughter and thank God I am able to work yet and I have the man whom I have worked for here.

The Court: He is in court and will take you home. You may go.

RESTITUTION THROUGH FRATERNAL DEVOTION.

J—— C——, a man of 34, convicted of forgery, asked the association to interest itself in his case. He had references from good business men who had employed him over ten years and always found him honest and trustworthy. His story was the old one of the effort to make money on the racetrack and in gambling houses, taking a little of his employer's money at times until he became hopelessly involved and ruined. Investi-

gation showed that he came from a good family and that his brother, a young man of excellent character and jealous of the good name of the family, had offered to make good the stealings of his brother. This was arranged, and \$1,800 was paid to the employers, who joined in the application for mercy. On hearing our report of the circumstances, Judge Foster generously suspended sentence and paroled the man in the custody of the association. He is still reporting at the office and living a good life.

“STARVE OR STEAL.”

J—— G—— came to New York from Chicago hoping to get work as a waiter. He failed and was arrested for stealing a roll of cloth from a tailor shop in broad daylight. He pleaded guilty to the charge. “I had,” he said, “no friends to help me get work; all the money I had was spent. I pawned my overcoat and spent all the money I got on it except 15 cents. I spent that for a pair of pliers, which I used to rip the gold teeth from my mouth. These cost me \$75, and I pawned them for \$3.50, all I could get, and when that money was gone I had to steal or starve. So I went to a clothing shop, picked up a roll of cloth in plain view of its owners and stood ten feet from the door waiting to be sent to prison where I would be sure of a bed and some food.”

Recorder Goff paroled the young man in the Association's care and he was sent back to his home in Chicago. There was of course no necessity for this man to steal, and he could have had help from many sources if he had applied for it. But this story illustrates the mental attitude and the desperation which sometimes lead to theft.

A WAYWARD GIRL.

Judge Cowing listened to a girl not yet out of her teens while she pleaded guilty to stealing the clothing of a woman who had befriended her. The girl was L—— G——. She lived in Orange county till about a year ago, when she met a young woman who filled her ears with tales of the wonderful life in New York. Then the old farm became irksome to her. She longed to come to the city. The old folks protested, but the girl ran away from home. Life in the city was pleasant at first.

but it took money to make it so. When her money was gone the girl sought work. In one of the big department stores where she had gone to seek employment she met a woman of the kind that preys upon the helplessness of their sisters. This woman talked with the country girl.

"Come with me," she said, "and you will never need to work."

The temptation was strong and the girl agreed to go with the tempter. When she realized what kind of a life she was living, she ran away and sought the home of a friend in West Twenty-first street, a woman she had met in the mountains of Orange county. To her she told the story. There she remained for several weeks and then disappeared with a skirt and waist of her friend, and when the police found her was trying to pawn them.

"Let me go home," pleaded the girl to Judge Cowing, "let me go home to my mother."

The general agent of the association told Judge Cowing that he had investigated the girl's story and was convinced that she told the truth. Her parents thought their daughter was employed in a department store.

"Send her home to me," wrote the mother, "for my heart is breaking."

Judge Cowing suspended sentence upon the girl, and she was sent to employment with a physician in a town near her home.

DISCHARGED PRISONERS.

The table on the opposite page will show in the poor way that figures may speak some aspects of our work for discharged prisoners during the year 1903.

It will be seen that 405 of these cases were inmates of the Elmira Reformatory who had been paroled into the custody of this association after having served a term of imprisonment. In a later part of this report we present a brief in regard to parole which shows in some detail what has been accomplished by this system in this and other States.

Other discharged prisoners come to us from other institutions needing various forms of help. A few typical cases are presented. This work of relief is of the utmost importance and we appeal to our friends to support the association in doing it efficiently.

STATISTICS OF AID DEPARTMENT FOR 1903.

1903.	Registered.	From New York Co. Penitentiary.	From Sing Sing.	From Auburn.	From Clinton.	From Kings Co. Penitentiary.	Paroled in our reformatory.	From other prisons.	Furnished with tools.	Transportation.	Discharged to steady work.	Clothes distributed.	Lodgings furnished.	Meals provided.	Books furnished.	Days' work furnished in building.
January.....	57	12	5	1	.....	.....	43	13	.....	4	48	13	140	534	600	811
February.....	86	14	5	1	.....	.....	34	11	.....	5	55	15	176	588	345	811
March.....	76	10	5	1	.....	.....	60	6	.....	5	55	15	144	595	475	811
April.....	67	11	5	1	.....	.....	49	8	.....	5	55	15	131	541	455	811
May.....	69	11	5	1	.....	.....	49	8	.....	5	55	15	131	541	455	811
June.....	69	11	5	1	.....	.....	37	11	.....	5	55	15	131	541	455	811
July.....	74	13	5	1	.....	.....	37	11	.....	5	55	15	131	541	455	811
August.....	70	11	5	1	.....	.....	37	11	.....	5	55	15	131	541	455	811
September.....	66	11	5	1	.....	.....	37	11	.....	5	55	15	131	541	455	811
October.....	63	11	5	1	.....	.....	37	11	.....	5	55	15	131	541	455	811
November.....	63	11	5	1	.....	.....	37	11	.....	5	55	15	131	541	455	811
December.....	111	32	5	1	.....	.....	43	13	.....	4	48	13	140	534	600	811
Total.....	1013	198	48	24	36	11	405	131	69	600	1,214	1,763	4,127	3,262	1,099	1,099

HELPED HIMSELF, HE HELPS OTHERS.

S—— M——, discharged from prison early in 1903, applied at the office for help. He was a young man of 27, had a common school education, but no trade. He worked at our building for two weeks when permanent employment was procured for him. After two months of service with the firm, and proving to be sober, honest and a good, faithful workman, he was appointed foreman of the stables. Five months after his discharge from prison he called at the office and said to our agent: "I am in a position to help other discharged prisoners and if you have a few men whom you can recommend I will gladly give them employment in order to help them along." His request was complied with. S—— M—— is now married, getting along nicely and bids fair to be a model man.

CAST DOWN BUT NOT IN DESPAIR.

X—— N——, a young man of 24, was an advertising agent for a firm which printed theatre programmes. His work threw him in contact with the sporting fraternity. Being in want of cash in order to place a bet upon a favorite horse, he forged a check, was arrested, but being a first offender was allowed to plead guilty to petit larceny and was sentenced to serve one year in the New York county penitentiary. On being discharged he felt his position keenly. His sporting friends would not recognize him. He came to the office and asked the agent for advice. "What shall I do, leave the country?" The agent replied, "No, stay here, get work, live down your disgrace and when your true friends see that you mean to do what is right they will help you; I will give you a suit of clothing in order to make you look respectable, which is half of the fight, and will help you in any way I can." N—— obtained work as a salesman in a hat store on Broadway, a place where his better friends often passed. They were surprised to see him, but did not fail to recognize him, shake him by the hand and give him encouragement. Our agent visited him two or three times each week in order to advise and encourage him. After being two months with the latter he obtained employment as demonstrator in a large department store, and made

himself so useful that they sent him to the fair at St. Louis, where he is doing well.

HELP AT THE RIGHT TIME.

X——— E———, a young man of 22, was paroled from the State Reformatory on ten days' leave. His father, a drunkard, told him that if he could pay board he was welcome, but if he had no money he would have to go back from whence he came. E———'s small hoard of money soon vanished in the great city, and he came to the office stating that he understood the reformatory was a refuge for homeless paroled men and asked the agent to send him back. The agent replied: "Oh, you don't want to go back to the reformatory; you are simply hungry and downhearted. Am I right?" N——— replied in the affirmative. He was provided with lodgings, meals, a few pieces of clothing and sent to several addresses. In two days he obtained employment as elevator conductor in a large office building and stayed there four months. He then obtained a better position and did so well that he gained the confidence of the authorities at Elmira and was given an absolute release.

A POOR CONSUMPTIVE.

K——— T———, a boy of 19, was discharged from the Eastern New York State Reformatory at Napanock, and, having no friends, called at the office for help. He said that he had applied at several places for work, but that the firms did not think him strong enough. It was plainly to be seen that the poor fellow was suffering from consumption. However, he obtained employment in a factory where they manufactured tin boxes and K——— was put in charge of the machine that stamped out the covers. He worked three days when he was taken with a hemorrhage, and the firm's superintendent, seeing that the young man was unfit to proceed with his work, gave him his wages and informed him that his services were no longer required. K——— came back to the office and after a long talk with the agent arrangements were made to have him admitted to a hospital. The little fellow seemed grateful and entered the institution, where he is now making himself useful by doing light work.

GRATEFUL LETTERS.

Among the many letters received from discharged prisoners we copy the following:

BUFFALO, N. Y.,——

Dear Mr. Agent—Do you remember that German blacksmith who came last summer to your organization and applied for help? That fellow whom you so cordially cheered, encouraged and helped materially generously.

It is about time that you should hear something about him again, if he was worthy a sacrifice. It would take me all night if I should go into details, and tell you all my progress and my activity in industrial as well as educational circles.

The first thing I done last summer when I was in employment I sent a registered letter to my uncle in the old country, and told him to deliver to my dear poor mother my bank book of about 700 marks, that she might use my money as necessity required.

Perhaps you remember I took work in —— in the factory. The only trouble was there that I had to board in a saloon and being ever since 1900 a total abstainer it soon became very annoying to me. Therefore I removed to Buffalo. But I had left a good position and had to undergo all kinds of hardship before I got my present good position. But I never was even one week without work. At present I am working in a large factory as tool dresser and making \$2 a day.

All winter I attended a night school regularly three times a week, taking up bookkeeping and short hand. I now belong to a Union and also the I. O. G. T.

My family in the old country want me to return but I have taken out my first papers and shall remain in the U. S. hoping to become a man well worth having.

Since last October I have saved \$65.

I send my regards to the other gentleman. I am sorry I forgot his name, but I remember his kind smiles and good words.

Thanking you and him once more for what you have done for me I am,

Very truly yours,

D—— S——

MINNEAPOLIS, MINN.

Dear Friend Mr. H.—No doubt you will be quite surprised to receive this letter, coming from a brother of W.—— H.—— whom you are well acquainted with and did so much for after his discharge from prison. I have been intending to write you for a number of weeks but kept delaying it for no particular reason, unless it might be I wished to write you something bright

and cheerful in regard to my brother's present condition. He is employed in a printing establishment, lives at home with his mother. His behavior and general deportment is excellent and we are all delighted and proud to inform you, Mr. H——, who has been his friend of this good standing. I as well as all my people appreciate what you did and how kind you were to him. The gratitude we owe you, we hope some day to be able to show it more effectively. It is my desire to meet you some day in person.

Kindly accept these lines as evidence of our high appreciation for the kindly feeling and devoted interest you extended.

Very respectfully,

CHARLTON T. LEWIS, PH. D., LL. D.

Born February 26, 1834. Died May 26, 1904.

At a special meeting of the executive committee of the Prison Association of New York, held June 7, 1904, a special committee, consisting of Messrs. McKeen, Smith and Barrows, presented a biographical sketch of the late president of the Association, Charlton T. Lewis.

MEMORIAL RESOLUTION.

The following minute, adopted by a rising vote, was then ordered to be placed on the records of the Association and to be communicated to Mrs. Lewis:

For more than twenty-five years Charlton T. Lewis was a member of the executive committee of the Prison Association of New York, to which he was elected in January, 1879. During the last twelve years of this time he was both chairman of the executive committee and president of the Association. His unexpected death, thus severing a connection of a quarter of a century, deprives this Association of an earnest, inspiring, and gifted leader, whose forcible pen, brilliant and kindling eloquence, mature counsel, and remarkable learning were dedicated to the interests and advancement of prison reform. His prolonged study of the history of penology, his profound knowledge of its development, firm grasp of its principles, and clear insight into its problems, combined with rare powers of exposition and persuasion, made him one of the most distinguished representatives in the whole field of modern penological science. His contributions to this department secured for him both a national and an international reputation. In all the range of his wide and varied interests, no subjects more constantly awakened his enthusiasm or commanded his eloquence than the possibilities of probation, or the principle of the indeterminate sentence viewed in relation

to the reformation of the prisoner and the protection of society. Constantly sought on the platform, where the magic of his voice added to the charm and power of his command of vigorous and exact English, nowhere was the value of his word or counsel more highly appreciated than by his fellow-members of this board and Association. The thought and interest he has given to its work for so many years have not been without fruit in improved legislation, better methods of administration, and in bringing to bear upon the offender the stimulus of the highest and noblest motives. In the archives of this Association, and in the libraries of the world, the productions of his own pen will constitute his best memorial of high thought and noble purpose, and will long continue to exercise a potent influence. Being dead, he yet speaketh. Deprived of his engaging personality, we share the bereavement of those who mourn him in the sanctuary of the home, and extending to them our deepest sympathy, inscribe to his memory this token of our appreciation.

BIOGRAPHICAL SKETCH.

Mr. Lewis was born in West Chester, Pa., on the 25th of February, 1834. His father was Joseph J. Lewis, commissioner of internal revenue under Presidents Lincoln and Johnson. His grandfather was Enoch Lewis, a prominent leader and educator in the Society of Friends. The student of heredity may find in Mr. Lewis's ancestry the source of his mathematical ability, for his grandfather wrote a text book on this subject. On his graduation at Yale in 1853, Mr. Lewis took high honors in mathematics as well as in classics. It is said to have been his original intention to enter the Methodist ministry. We find him, however, in 1856 holding the position of professor of mathematics in the State Normal University of Illinois. But his love of literature, one of the commanding interests of his life, soon asserted itself and in 1858 he became professor of Greek in Troy University, a position which he held for three years. Going to Washington on the threshold of the civil war, he held for two years the position of deputy commissioner of internal revenue. At the expiration of this period he came to New York city and took up

the practice of law in partnership with S. S. Cox. His services were soon sought by leading insurance companies and he became not only an interpreter but a mold of insurance legislation in the United States. His mathematical ability and his unusual powers of expression fitted him to be an actuary or a writer on finance; but his classical training, his wide reading in history, law and economics, all qualified him for a leading position in journalism, a profession which he entered without apparent effort or intention. Having written a few articles for the Evening Post of New York, under the editorship of Mr. Bryant, his fine qualities as an editorial writer were at once recognized, and unexpectedly to himself he was called to the managing editorship of that journal at what was then an unprecedented salary. The Evening Post in a notice of Mr. Lewis written the day after his death, speaking of his connection with that journal, says: "He proved himself a writer of extraordinary fluency, flexibility, and adroitness."

Resuming in 1872 the practice of law, he held from 1873 to 1878 the post of secretary and treasurer of the Chamber of Life Insurance of the United States. For more than twenty years he was counsel to the Mutual Life Insurance Company. As a high authority on insurance he was called upon to deliver lectures before Harvard, Columbia and Cornell universities.

Meanwhile his interests and studies in classical literature and philology were not neglected. The most conspicuous monument of his industry and scholarship is the large Latin dictionary published by Harper & Brothers. This work, an expansion and revision of the labors of Freund, was achieved by Mr. Lewis without suspending his other professional engagements only by working into the small hours of the night and by exerting a patience, accuracy and industry, a power of concentration and of persistent labor seldom combined in one of his versatility, imagination and creative literary power. His reputation as a lexicographer was at once made by this work, and obtained for him instant recognition in England, an interesting proof of which was that a plan to bring out a similar dictionary at Oxford by a group of English scholars was abandoned on receiving the proof sheets of the American work.

We have seen as yet no complete bibliography of his miscellaneous writings, but among those already catalogued are his translation, in company with Rev. Marvin R. Vincent, D. D., of Bengel's "Gnomens of the New Testament;" "A History of German;" a "Latin Dictionary for Schools," a simplification of his larger work. He was the editor of "Harper's Book of Facts," and in 1901 edited the "Love Letters of Prince Bismarck."

Mr. Lewis was a director in several corporations and a member of a number of prominent societies and clubs. He received the degree of Ph. D. from the University of the City of New York and the degree of LL. D. from Harvard University in 1903.

Omitting many details, we have recounted the leading facts in Mr. Lewis's literary and professional career only to emphasize more clearly the significance of his devotion to philanthropy and especially to the work of prison reform. It might be supposed that one having so many interests would have been wholly absorbed by them to the exclusion of other associations and duties; but, after all has been said, it still remains true that the crowning work and interest of his life, which for more than a quarter of a century he pursued with unabated ardor until his death, was a noble, unselfish and enlightened devotion to the interests of prison reform. Mr. Lewis was elected a member of the executive committee of the Prison Association in January, 1879, and was elected president of the Association October 20, 1892, after the death of Professor Dwight. He was president of the State Charities Aid Association of New Jersey, and at the time of his death was president of the National Prison Association. He was likewise a delegate from the United States to the International Prison Congress and took part in its deliberations at Paris in 1895. His position as a member of the board of managers of the New Jersey State Reformatory at Rahway brought him directly into contact with administrative problems and also gave him an opportunity he valued to supplement his studies of theory by personal contact with individual prisoners. He frequently visited this institution and took a deep interest in the history and prospects of inmates who were candidates for or had become subjects of parole.

Of the writings of Mr. Lewis the library of the Prison Association contains the following:

Address as chairman of section 5, International Congress of Charities, Correction and Philanthropy, Chicago, 1893.

Uses of imprisonment: remarks made at International Congress of Charities, etc., Chicago, 1893.

Discussion of Prof. Henderson's paper on "Practical issue of studies of the criminal": National Prison Association, St. Paul, 1894.

Report of the New Jersey commission on penal laws to the Legislature of 1896.

The probation system: National Conference of Charities and Correction, Toronto, 1897.

The spoils system: remarks, National Conference of Charities and Correction, New York, 1898.

The indeterminate sentence: National Prison Association, Hartford, 1899.

The indeterminate sentence: included in S. J. Barrows's "Reformatory system in the United States," 1900.

Criminal jurisprudence in Cuba (article in Charities Review), 1900.

How the State ought to deal with criminals: report at the National Conference of Charities and Correction, Washington, 1901.

The modern penal code (article in Charities, 1901).

The problem of crime: article in the Christian Register, September 11, 1902.

Treatment of criminals by society: address before the Friends' Conference, 1902.

Discussion of papers by Warden Bussinger and Judge Fort: National Prison Association, Philadelphia, 1902.

False sentiment the bane of penal law: address, National Prison Association, Louisville, 1903.

Future of probation: address, National Prison Association, 1903.

State supervision of charities and correction: article in Charities, 1903.

The indeterminate sentence: from Yale Law Journal.

Mr. Lewis was twice married. His first wife was Nancy D. McKeen of Brunswick, Me., a granddaughter of Joseph McKeen, the first president of Bowdoin College. By this marriage he had four children—Joseph McKeen Lewis, a young man of great promise who died shortly after returning from a course of classical studies in Greece; Charlton M. Lewis, professor of English literature at Yale, and Elizabeth D. and Mary S. Lewis. His second wife was Margaret P. Sherrard of New York, who became the mother of two children, Margaret and James, both in their teens.

PATRICK FARRELLY.

At a meeting of the executive committee of the Prison Association of New York, held June 7, 1904, a committee, consisting of Messrs. Philbin, Hadden and Barrows, submitted the following sketch and minute in memory of the late Patrick Farrelly, a member of the committee:

BIOGRAPHICAL SKETCH.

The life of Mr. Patrick Farrelly is a life marked from boyhood to maturity by unusual concentration of purpose and by the energy and intelligence which were necessary to accomplish it. It is the career of a boy who found in his early years the ladder upon which he was to rise to a commanding position and influence in the great metropolis and throughout the country. He touched the first round of that ladder when as a boy he began to sell papers on the trains of the Elmira road. He did not need to seek a new opportunity in another field, he found it in the one in which he had started. He had only to obey the injunction to "go up higher" to find scope for his rare business ability. Born in the County Cavan, Ireland, in 1840, he came to this country when eight years of age. After finishing a common school education in Penn Yan, N. Y., he began his humble business career as a newsboy. He stepped on the second round of the ladder when an opportunity came to sell his papers on the New Jersey Central road. He was early noted for his shrewdness, far-sightedness, and industry. This is a day in which business interests have been combined and reorganized in many forms of association. Mr. Farrelly was one of those who forty years ago saw the possibility and necessity of such combination in the line of work in which he had engaged. Passing out of his individual work as a newsboy, he became a member of the wholesale news firm of Hamilton, Johnson & Farrelly. It was

not long, however, before he recognized the loss entailed through sharp and destructive competition, and the necessity of larger association. The same arguments appealing to other news houses resulted in the formation in 1864 of the American News Company, of which Sinclair Tousey was president, Henry Dexter vice-president, S. W. Johnson treasurer, and Patrick Farrelly and John Hamilton superintendents. It is interesting to note that Mr. Sinclair Tousey was an active member of the executive committee of the Prison Association for many years. Throughout his life Mr. Farrelly maintained his connection with the great business concern of which he was one of the founders, and whose extensive field of operations from the Atlantic to the Pacific and from Canada to the Gulf well entitles it to the name American.

For the business man who lives not only to earn, but to spend himself and his fortune in the interest of humanity, there is always an open field in the realm of philanthropy. It is here that the insight, intelligence, experience, industry, and capacity to administer find a new opportunity. Patrick Farrelly accepted and fulfilled with earnestness and devotion the new tasks he found in this field. As he had labored for his own advancement in life, so he labored for the advancement of others. An earnest Catholic and interested in the development of the benevolent activities of his Church, he also formed associations in philanthropy which brought him into activities which if not sectarian or ecclesiastical are civic and humane. A summer resident of Morristown, it is interesting to note, on this day when we mourn the loss also of our president, Charlton T. Lewis, that these fellow-townsmen were both intimately associated as managers of the New Jersey State Reformatory at Rahway. It was on the nomination of Mr. Lewis that Mr. Farrelly was elected a member of the executive committee of this Association, on the 17th of January, 1901. He was appointed a member of the board of managers of the New Jersey State Hospital in May, 1893. In May, 1900, he was elected president of the board, which office he held at the time of his death. The medical director says: "Mr. Farrelly devoted much of his valuable time to the interests



PATRICK FARRELLY.

the institution and his services were of an efficient and painstaking character." For a period of eight years, from 1884 to 1892, he was a trustee of the New Jersey State Home for Boys. He was also connected with All Souls Hospital in Morristown. Mr. Farrelly was taken with pneumonia and after an illness of four days succumbed to the disease April 23d. He leaves a wife, two sons and two daughters, two brothers and a sister.

MEMORIAL MINUTE.

The following minute was then unanimously adopted by a ringing vote:

In the death of Mr. Patrick Farrelly the executive committee of the Prison Association of New York have lost an associate whose fidelity and devotion to the work he accepted, whose intelligence and great business experience, combined with a whole-hearted interest in the improvement of prisons and the reformation of the prisoner, have made him one of the most valuable counsellors on this board. As he was fervent in spirit and industrious in business, so his work in the field of benevolence was not perfunctory. His name was valuable, but his personal cooperation was still more highly prized by those who were associated with him. His familiarity with details as to the administration of institutions made his advice valuable in executive work, while his knowledge of human nature and his confidence in the forces of religion, education and morality as applied to the prisoner fitted him to deal with the personal problems which came before him as a member of the parole board of a reformatory institution. His connection with this Association and with other charities was another fine illustration of the secretion which an able business man may bring to the halcyon work of benevolence under the inspiration of religion and the fellowship of humanity.

THE FOSTER MEMORIAL.

It is an unusual thing to erect a monument to a woman in a court of justice. The attainments of women demanding wise public recognition have been mostly in other fields. But no monument in any place seems more fitting than the sculptured tablet placed in the city court building to the memory of Mrs. Rebecca Salome Foster. It was in connection with the Tombs, the doleful name of the city prison of New York, and with these courts that the great work of her life was done. She was neither judge nor lawyer; she was simply a woman consecrated to the work of saving the unfortunate and the fallen. She bore no academic title; but her own sweetness and devotion and the heavenly task in which she was engaged and the gratitude of those she served won for her the designation of "The Angel of the Tombs."

Mrs. Foster was of Southern birth. Her father, John Howard Elliott, whose name recalls the great English prison reformer, was himself an Englishman; her mother was Margaret Blue, a resident of Mobile. Her husband, to whom she was married in 1865, was Gen. John A. Foster, a gallant soldier and an able lawyer.

Like the work of Elizabeth Fry, that of Mrs. Foster began with some casual visits to the Tombs, with no thought that so many of the later years of her life would be spent in that building and in this work of rescue. Always benevolent, various phases of activity had previously engaged her attention, but after the death of her husband, in 1890, she became almost wholly absorbed in her work at the Tombs. Though there was no probation law in operation at that time, she practically fulfilled all the duties of such officer. She secured the confidence of the prison officials and of the judges. She was intrusted by the latter with the investigation of cases, mainly of girls and women committed for various offences. The greatest reliance was placed in her judgment, and under the power of the judges to suspend sentence, many cases were practically placed in



THE FOSTER MEMORIAL.

her custody. She gave as freely of her money as of her time and strength to help needy prisoners.

Her death was tragic. She perished in the fire of the Park Avenue Hotel, February 21, 1902. The impression which her earnest, intelligent and self-sacrificing work for prisoners had made upon the courts is seen in the remarkable tribute which was paid to her in the Court of Special Sessions, which on motion of the District Attorney, adjourned in respect to her memory. In making this motion, Mr. Jerome said:

"What she was to this court and the unfortunate people with whom it has had to deal is too well known to need statement. For many years she came and went among us with but a single purpose:

'That men might rise on stepping-stones
Of their dead selves to higher things.'

"There is a word which is seldom used. To us, who in administration of the criminal law are daily brought into contact with the misfortune and sin of humanity, it seems almost a lost word. It is the word "holy." In all that that word means to English-speaking peoples, it seems to me it could be applied to her. She was indeed a "holy woman." It hardly becomes us to do aught else than to testify in holy, reverent silence our love and respect. She was one of those of whom it has been written:

'And none but the Master shall praise them
And none but the Master shall blame.'

"She would not have wished us to do anything which would increase the sorrow and suffering of those upon whom stern duty requires your Honors to inflict punishment. I shall not, therefore, ask this court to adjourn before it disposes of its prison calendar. I move this honorable court, that when it has disposed of the cases on its calendar, where the defendants are in prison, it adjourn for the day in respect for the memory of Rebecca Salome Foster, and that a suitable minute be spread upon the records of this court."

Justice Holbrook, the presiding justice, in granting the motion, said:

"It is eminently proper that we should interrupt our regular proceedings and pause for a moment to plant a flower of remembrance evincing our regard for that noble and saintly woman—Mrs. Foster—not inaptly called and known as 'The Tombs Angel,'

whose tragic and pathetic death has so greatly saddened our hearts. Mrs. Foster was known to and highly respected by all who frequent this court. Perhaps none knew her better than the members of this bench, on whom she was wont to call almost daily in the performance of her benevolent work, and in the discharge of her duties as a probationary officer of this court.

"It has been very truly and eloquently said of Mrs. Foster by the learned District Attorney, that to those in distress, and especially to those of her own sex, she was a good and true angel. To the erring and wayward, her large, generous, and womanly heart ever went out with sincere and deep sympathy. Her appearance at the dark and gloomy cell to the inmates was like a veritable sunbeam. Numberless lonely and weary hearts have been cheered, gladdened, and made even radiant by her ministrations and words of good cheer, and numberless, too, of those who have strayed from the straight and narrow way were brought back by her sweet influence to paths of rectitude and virtue.

"On behalf of my associates and myself, I wish to express the profound grief we experience at the seemingly untimely translation to the higher life of this gentle and transcendently humane woman. We shall all miss her bright, charming face, and many, very many, alas! will miss her cheerful words of comfort and hope. As a slight token of our esteem, and as a perpetual reminder of her good work, the clerks will cause these proceedings to be entered upon the minutes of this court."

The tablet erected to her memory in the court building was the result of a popular subscription, undertaken by a committee of the City Club of which Rev. Thomas R. Slicer was chairman. Mr. Charles R. Lamb was the architect and Mr. Karl Bitter the sculptor.

THE VALUE OF PAROLE LAWS.

BRIEF CONCERNING SENATE BILL 561 RELATIVE TO THE PAROLE OF
PRISONERS FROM STATE PRISONS AND THE EASTERN NEW YORK
REFORMATORY.

*Respectfully Addressed to His Excellency the Governor by the Prison
Association of New York.*

The Legislature of New York at the session closed April 23, 1903, passed a bill introduced by Senator Barnes (S. 561) to amend the Revised Statutes relative to the parole of prisoners from State prisons and the Eastern New York Reformatory. The object of this bill is to make the present parole law applicable to a large number of prisoners. To this end section 74 of chapter 260 of the Laws of 1901 is amended as follows:

“ § 74. Every person now confined in a state prison, or in the Eastern New York reformatory, under sentence for a definite term for a felony, the maximum penalty for which is imprisonment for twenty [five] years or less, exclusive of fines, who has never before been convicted of a crime punishable by imprisonment in a state prison, shall be subject to the jurisdiction of the board of commissioners of paroled prisoners, and may be paroled in the same manner and subject to the same conditions and penalties as prisoners confined under indeterminate sentences. The minimum and maximum terms of the sentence of said prisoners are hereby fixed and determined to be as follows: The definite term for which each person is sentenced shall be the maximum limit of his term, and one-third of the definite term of his sentence shall be the minimum limit of his term.”

This bill is now before your Excellency, and the law committee of the Prison Association of New York present herewith evidence and arguments for its approval, to which we respectfully ask your careful consideration.

I. THE PRINCIPLE OF CONDITIONAL LIBERATION.

The principle of conditional liberation upon which parole laws are founded is now well accepted in this country and in Europe. The indeterminate sentence, parole and commutation of sentence for good behavior are all forms of conditional liberation. Of these, the indeterminate sentence in connection with the graded and marking system is doubtless best; for it makes the prisoner's release depend almost entirely upon his character and attainments while in prison.

Next to the indeterminate sentence in importance and value is the parole system for definite sentences based on the same general principle and requiring the prisoner to demonstrate his fitness for conditional release to the satisfaction of the parole board.

The essential feature of the parole system, in whatever form administered, is that it brings a most powerful motive to bear upon the prisoner. It furnishes a strong and continuous incentive to good conduct and leads to the formation of habits of industry and steady behavior, not only during the period of confinement in prison, but during the period of conditional release. Instead of being abandoned to a hopeless past, the prisoner is inspired to new hope and courage for the future. He discovers, too, that his future rests with no one so much as with himself.

II. THE PAROLE LAW NO EXPERIMENT.

The parole law is no longer a theory. It has become embodied in the law and practice of many States.

A report prepared by a committee of the American Bar Association in 1898 on the indeterminate sentence and parole law (see 55th Congress, Third Session, Senate Document No. 159) showed "that twenty-five States have parole acts of some character in actual operation, with four States awaiting their enactment upon the advice of the chief executives thereof." The report further says: "Upon the question of the beneficial character of parole statutes the opinions received by your committee are unanimous. Only one State, South Dakota, has repealed a parole act

once adopted." (This was due to some imperfection in the act.)
"The States which have tried it longest are its firmest advocates."

We commend to the consideration of your Excellency the opinions communicated to the American Bar Association by governors of the different States, which are appended to this brief.

The testimony is conclusive as to the beneficial effects of parole laws. If the experiment had never been tried in New York, it would be entirely safe to try it based upon the facts gathered by the Bar Association.

III. THE EXPERIENCE OF NEW YORK STATE.

But New York has had its own experience of parole laws longer than any other State in the Union. It is really the pioneer State in this matter. It led the way in 1876 in applying the indeterminate sentence to the Elmira Reformatory, all of whose inmates have been convicted of felony. The parole system in the reformatory has now been in operation twenty-six years. The Prison Association of New York has for twenty years been the custodial agent in charge of all prisoners of the reformatory paroled to New York city. Several thousand young men have been committed to its care. The great majority of these prisoners do not return to the reformatory nor go to other penal institutions, but become law-abiding citizens. During the last year this association has had 400 such cases under its care. An investigation of each case made by our agents at the close of the year showed that more than three-fourths of these prisoners were doing well. While the law relieves the governor from importunities for pardon, it impels the prisoner to exert himself to the utmost to become eligible for parole. No one who is familiar with the working of this law as applied to the State reformatory would think of giving up the parole system. Not only would it throw too great a burden upon the governor, but it would deprive the prisoner of the most effective moral and personal incentives.

The parole system has also been applied advantageously to inmates of the three State reformatories for women, and for the last year to other State prisoners whose maximum sentence is not over five years.

During the year ending September 30, 1902, 341 prisoners were paroled, of whom 267 were on indefinite sentences and 74 on indeterminate sentences. Of these, 14 have been returned to prison and 34 delinquents are at large, though some are delinquents only because they have failed to report to the paroling officers; 139 have been discharged, and there are now 154 men paroled and in good standing. The success of the law as applied to five-year men certainly encourages its extension to those who have received a larger maximum, but who, judged by standards of character and prison record, are equally good subjects for parole.

IV. OBJECTIONS OFFERED TO THE BARNES BILL.

The principal objections offered to the Barnes bill are, first, that men sentenced to long terms should not be paroled; and, second, that it is better to invoke the pardoning power of the governor.

The Case of Long Sentence Men.

Concerning the objection that parole ought not to be granted to long term men, we offer the following considerations:

1. The punishment affixed to offences in the code are arbitrary. It is a matter of accident in many cases whether a man is liable to a ten-year sentence or to a one-year sentence. A thief steals a pocketbook from a drawer. If it happens to have \$26 in it, he is guilty of grand larceny; if it contains but \$25, he is guilty of petit larceny. It is no difference in the motive in this case, but a mere accident of the crime which determines the length of his sentence.

It is important to observe, however, that the parole law does not abrogate the distinction made by the code or the courts between more serious and less serious offences. A long-term man is obliged to serve one-third of his sentence, which in the case

a twenty-year man will amount to a year and a half more than the full maximum of a five-year man.

The institution to which the prisoner is committed depends on the discretion of the judge. Of two first offenders guilty of the same offence and liable to a ten or twenty year sentence, one may be sent to Elmira and the other to Sing Sing. The Elmira man may be eligible for parole in two years. The Sing Sing man under commutation may have to serve ten or twelve. The State commission of prisons says: "There is no public policy which demands that the State of New York should allow first offenders who are sent to Elmira the benefits of parole and at the same time deny these benefits to the convicts who may later on be sentenced to the other prisons of the State."

No arbitrary line can be drawn at five-year men. The great principles which constitute the most powerful element in the parole system are just as applicable to long-sentence men.

As to the safety of permitting such men to be at large, it must be borne in mind that under the probation law convicted persons are placed on probation whose maximum sentence under the code might have been ten or even twenty years. This association through its agent at the court of general sessions in New York has had placed in its custody nearly 200 persons, all of whom have been indicted for felonies. The maximum sentence in some of these cases would have been ten, fifteen and twenty years. Not a single one of these persons, potentially ten or twenty year men, has defaulted, showing that long-sentence offenders are good subjects for conditional liberation.

Every prison warden knows that the long-sentence men committed to his care are as good subjects for parole as short-term men. A large amount of testimony could be procured on this subject. We content ourselves, however, with offering the testimony of one of the leading prison wardens of the country, Major R. W. McClaghry, warden of the United States penitentiary at Leavenworth, formerly warden of the Illinois State Prison at Joliet, superintendent of the Illinois State reformatory at Pontiac and also, during the Chicago Exposition, chief of the police force of that city. As warden and superintendent, Major

McClaghry has handled some eighteen thousand prisoners. In a letter dated April 22, 1903, in reply to an inquiry in regard to the wisdom of paroling men sentenced to long terms of imprisonment, Major McClaghry says:

"In reply I beg to say, that I have had just as good success with men who were sentenced to long terms, say ten years, twenty years and twenty-five years, as I have had with men who have been sentenced to terms of from one to five years, in proportion to the number of each kind that have been paroled. It is my opinion, based on experience of some years, that the length of term makes but little difference if common sense and care are exercised in selecting the prisoners for parole. Everything depends on the character of the prisoner, and that must be thoroughly inquired into before he is granted the parole, or the experiment will not be satisfactory. I have even paroled life prisoners, in probably twenty-five cases, since I have had charge of prisons and reformatories, and in no instance yet have I been disappointed in them. I have now a life prisoner working as a 'trusty' outside and inside, under our limited parole practice at this penitentiary (no regular parole being provided for by United States law), and I have no fear of his trying to make his escape. Very frequently our life prisoners are among the most reliable we have. The most unreliable character that we deal with is the sneak thief; and, as a rule, if he has but thirty days sentence we could not parole him for half of it.

"The New York bill of which you speak is, in my opinion, a very conservative and safe one. I think the objection to the parole system in most of our States is, that there is no minimum term of service required. I believe that the provision to the effect that absolute discharge is not given until the end of the term is a wise one, at least in the beginning of the parole system. After it has been tested for some years, it may become safe to allow absolute discharge before the end of the term; but if the prisoner understands that he is in the care of the government and liable to be taken into custody, he is much more likely, in ordinary cases, to walk circumspectly and thus acquire the habit of good citizenship than if he was permitted, by himself and friends, to besiege the governor or the discharging power for absolute discharge after he had served but a small portion of his parole."

Pardon and the Parole System.

1. The parole system does not supplant the system of executive pardons; it is not a substitute for this; it is auxiliary to it.

It takes no power from the governor. The innocent can always appeal to him for vindication. But parole is meant to apply to those who are not innocent and to whom pardon would be of doubtful expediency. The great prerogative of the governor is especially appropriate to exceptional cases. It is asking too much of the executive that he should become personally acquainted with every man in prison. During the past year the parole board in New York State has held interviews with 1,247 prisoners. These interviews are very searching and very important with reference to parole, but it would be impossible for the governor in addition to the vast amount of labor now imposed upon him to undertake these personal investigations.

2. It is a great feature of the law already in existence that prisoners are obliged to make their own application to the board of parole and that the board is "*prohibited from entertaining any other form of application for the release upon parole for the absolute discharge of any prisoner.*" This prevents the board of parole from being exposed to any form of political or personal importunity from friends of the prisoner outside. No prisoner can be paroled until he has served a certain minimum time and fulfilled certain conditions. This feature is of great importance, because it protects the parole board from undue pressure.

3. The same provision protects the executive from undue importunity. When a man can work his way out in a certain period by his own efforts, his friends then naturally appeal not to the governor but to the prisoner to earn his conditional release, while they secure for him employment outside.

4. Parole may be safely applied to many cases not eligible for pardon. Three hundred and forty-one prisoners were paroled from the State's prisons in the year ending September 30, 1902, as against 35 pardoned by the governor. Eliminating those registered as delinquents, we have about 300 men who were released by parole and who are doing well, apart from the 35 pardoned by the governor. It must be remembered also that while the governor's exercise of pardon is not limited to any class of prisoners, the parole law in New York State has been

limited to five-year prisoners. Had the law been applicable to longer-sentence men, a larger number could have been safely paroled.

5. Under the pardon system, though the pardon may be in the form of a commutation of sentence, there is no supervision over the prisoner when discharged. He does not come under the jurisdiction or control of the parole officer. He can not be returned to prison without a trial and conviction for another offence. The paroled man, on the other hand, is released tentatively; he is under the supervision of the parole officer; he is obliged to report to him monthly. When it becomes evident that the paroled man is not fulfilling the conditions of his parole, it is not necessary to undergo the expense of another trial with the uncertainty of securing evidence. The evidence which might satisfy the parole board that the man is not fit to be at large might not be sufficient to convict him of a second offence against the Penal Code. As this association has some four hundred paroled men under its supervision every year, we can speak with positiveness as to the moral effect of the supervision of the parole officer.

6. Under the Barnes bill the functions of parole and of pardon are carefully distinguished. While a parole board appointed by the governor relieves him of the necessity of considering applications for parole and commutation of sentence, not only the power of pardon for all prisoners is reserved for the governor, but, except prisoners under the indeterminate sentence, no prisoner can receive his absolute discharge without authorization of the governor.

V. THE ECONOMIC VALUE OF PAROLE.

Though we lay most emphasis upon the moral value of the parole law, its economic value is not to be overlooked.

Mr. Amos W. Butler, secretary of the State Board of Charities of Indiana, says: "Covering a period of four years and seven months to October, 1901, there have been paroled from the two prisons that State 1,340 men; these paroled prisoners earned on parole \$272,661.68, of which amount they had saved in hand \$48,063.71."

Economy is further shown by the operation of the indeterminate sentence with parole plan at the New York State Reformatory Elmira the first twenty years. A comparison of saving of time in prison for the 5,120 prisoners paroled compared with what must have been had the prisoners been under a determinate sentence, taking the minimum of sentences to the State prisons for the similar offenses as the basis of comparison, shows 10,112 years of imprisonment saved and a saving of maintenance cost of \$1,895,456. If this should be computed and added to this monetary saving the earnings of the paroled prisoners while on parole, calculated on the Indiana experience of earnings, then a total economical benefit is shown of \$2,362,683.

In this connection it is worthy to note that the average time in prison of these 5,120 paroled felons is less than two years for 62.6 per cent of them and for 86.4 per cent less than three years.

VI. CONSERVATIVE FEATURES OF THE BARNES BILL.

1. The law applies only to those who are *now* in prison. We should hope that in a subsequent law it would be made applicable to prisoners who may be convicted in future; but the present law will have another year of trial before it is necessary to do this.

2. It applies only to first offenders.

3. Prisoners must serve one-third of their sentence. In case of twenty-year men, the difference between the minimum they will be obliged to serve and their good time reduction as now authorized would be but about five years.

4. Except for those on an indeterminate sentence, absolute discharge can only be granted by the governor.

CONCLUSIONS.

For the reasons above given we urge your Excellency to approve the Barnes bill. After many years of observation, the officers of this association believe that every prisoner should be released conditionally and placed under supervision for a sufficient period before receiving pardon or absolute discharge. Not only has parole a powerful influence upon prison discipline, but it is of the greatest

value in securing the prisoner a new entrance into society. The prisoner who is sent for a definite term and is discharged on a definite day is sent out into the world without shelter or employment. He easily becomes a subject of charity or is tempted to commit new crimes. The paroled prisoner, on the other hand, is not released until work and shelter are assured to him. Experience has shown that the business man throughout this State will respond to the appeal of a prisoner and his friends and give him work when it is the condition of securing his release. The man thus released is not only under the supervision of the parole officer, but he is under the supervision of his employer. He has the opportunity to make a new record and secure a new reference on changing his employment.

This association has been in existence for fifty-six years. During all that time it has dealt with discharged prisoners and for twenty-five years with paroled prisoners from Elmira. A comparison of the two methods has led to the inevitable conclusion that the parole system ought absolutely to replace the system of discharge on a definite sentence.

Respectfully commending these arguments to your careful consideration, we trust that your Excellency will by your approval of the Barnes bill aid the extension and development of the parole system of this State.

TESTIMONY SECURED BY THE AMERICAN BAR ASSOCIATION (1898).

Alabama.—The private secretary to the governor of Alabama writes: "Based upon the experience of the year it has been tried, the governor is very much pleased with its operation and results."

Colorado.—"The percentage of reforms through the action of the board of pardons is very large. * * * Very few cases of pardoned criminals have appeared again in the courts of the State. Out of 250 paroled in Colorado by the board of pardons, but six are known to have fallen back into criminal ways."—C. L. Stoneaker, secretary State Board of Charities and Corrections.

California.—At the time of the report of the American Bar Association was made in 1898 the law had been in operation for five years, and had been exercised with great caution. Mr. Charles Aull, warden of the State prison, in a letter transmitted by the governor, says: "My judgment is that the law has

been a success and is a decided benefit to society. It has relieved the governor's office very largely from constant applications for pardons. The parole law reaches many cases that could not or should not be reached by a pardon. I heartily approve of it and believe that it has done much good already and will continue to increase in usefulness in the future. Of 72 prisoners paroled, but 8 violated the conditions of their parole, leaving 64 who are at large and doing well."

Massachusetts.—The secretary of the prison commission, by direction of the governor, says: "I am safe in saying that on the whole these laws are wise."

Michigan.—The law was adopted in 1895. Prior to January 1, 1898, there had been paroled from the various prisons of this State 128 convicts. Of these all but 9 observed the conditions of their parole and received honorable discharge. The secretary of the prison board of Michigan writes: "I am authorized to say that Governor Pingree is much in favor of it and prefers the exercise of the parole law to that of absolute clemency as extended in a pardon."

Minnesota.—The report of the American Bar Association says: "The results are claimed for the law in this State. First, it greatly lessens the number of severe punishments necessary to maintain a high standard of prison discipline. Second, it affords humane and effective means of reaching and bringing out the better elements of the prisoners."

It is a striking fact that "the statistics show in Minnesota 50 per cent less solitary punishment cases during the four years of the operation of the parole law than the four years preceding." One hundred and seventy-seven were released on parole in that State. During the four years only 17 violated the conditions.

Nebraska.—Governor Holcomb says: "I am of the opinion that the parole system has proven beneficial in the administration of our criminal law."

North Dakota.—The governor of North Dakota thinks the law to be a wise and salutary measure and that possibly it is too restricted in its operation.

Ohio.—Governor Bushnell wrote: "The effect of the parole law in Ohio has been good, as it affords the prisoners the incentive of conforming to the rules of the penal institution and thus acquiring the benefits offered, which often lead to marked changes in their lives. But a small proportion of the paroled prisoners from the Ohio penitentiary are reported for violation of rules."

Pennsylvania has had parole law in connection with the State Reformatory at Huntington under an indeterminate-sentence law, and the testimony of Mr. Cadwalader Biddle, general agent of the board of public charities, is that the law has worked well.

Utah.—The report of the bar association says: "In Utah they have an excellent and thorough parole system, of which the governor heartily approves, and the papers forwarded to your committee indicate that the high opinion of the law expressed by the governor is well founded."

ADDITIONAL TESTIMONY FROM DIFFERENT STATES.

Since the report by the American Bar Association was made the following additional testimony has been collected:

Pennsylvania.—The general superintendent of the Pennsylvania Industrial Reformatory, Mr. T. B. Patton, writing December 9, 1899, said: "Of the 603 inmates paroled in the last three years, but a single one failed to report to his employer. Not more than 8 per cent. have violated the conditions of their parole. I am satisfied that it is the true system of dealing with young men who are sentenced as first offenders."

Massachusetts.—The secretary of the commissioners of prisons writes January 20, 1900: "I think I may safely say that in this State the parole system is looked upon with favor and is regarded as a wise provision."

New Jersey.—Samuel S. Moore, keeper of the New Jersey State prison, says, December 9, 1899: "The operation of the parole system, which became a law July 16, 1891, after an experience of eight and a half years seems to be productive of good results in the reformation of prisoners." The number of paroles revoked was but 5 per cent of the number granted.

Ohio.—Warden E. G. Coffin of the Ohio Penitentiary writes December 9, 1899: "The number is quite small of those who violated parole by the commission of another crime."

Utah.—Mr. G. W. Dow, warden of the State prison, Salt Lake City, writes in a letter dated December 14, 1899: "My personal opinion of the parole system is that it is a good law, far better than granting these men a full and complete pardon; it also puts the prisoners on their best behavior during their imprisonment."

Illinois.—A letter dated December 12, 1899, from E. J. Murphy, warden of the Illinois State penitentiary, Joliet, states: "The results of the parole system have been very satisfactory."

THE MODEL JAIL*.

SOME POINTS THAT NEED TO BE CONSIDERED.

BY SAMUEL J. BARROWS.

Corresponding Secretary of the Prison Association of New York.

The subject of jail construction is one deserving of fresh study and treatment in this country not only by architects but by those who are organizing and administering our prison systems. I do not assume in this article to usurp in any way the functions of the architect; but there are some things which lie all together outside of the province of the architect, and which ought to be decided before he is called in. The structure of a jail, like the structure of a house, church, or library, ought to be determined by the purpose for which it is erected. To secure the best building of any kind, we need to make the building conform to the idea, not the idea conform to the building.

Now, when we ask how a jail should be built there is a preliminary question: What is it built for? In a properly organized prison system, the answer to this question is very clear and definite.

A jail is a place provided by public authority for the detention of those awaiting trial.

This ought to be the sole purpose of a jail. Unfortunately, however, this is not the sole purpose of jails in this country. Organized, as they are, under the county system, and erected by little county parliaments, called boards of supervisors, or freeholders, or county commissioners, they are made to serve two purposes, neither of which they properly fulfil. They are built not only for the detention of prisoners under accusation, but for those committed under sentence. There is an attempt to combine different functions in the same building, and, as a matter of fact, each of them is sacrificed to the other. Men who are under arrest and awaiting trial are not properly under punishment. While awaiting trial, arrested persons are, under the

*Reprinted from "Charities."

law, presumably innocent. No jailer, keeper, nor any other authority, nor the community itself, has any right to impose punishment on persons who have not been tried and sentenced. It may be said that three-fourths of those arrested are really guilty; but that does not alter the fact that there is a fourth who are not guilty, and whether guilty or innocent it is of the utmost importance that we should not violate the principle that no person shall be punished or disciplined without due process of law. It may be said also that many of those committed to jails for trial are known to be old "rounders;" but this simply reveals another defect of our prison system, which is that the confirmed recidivist will not have to be repeatedly arrested if he is not repeatedly discharged; and that he need not and must not be discharged when he has become an habitual criminal; and that the ordinary jail is no place for him.

On the other hand, a simple house of detention is not the place in which to send prisoners who are corrigible. What is needed for them is a house of correction. Now the trouble with our jails, both old and new, is that they are neither houses of detention nor houses of correction. The laws of the State of New York in regard to jails, for instance, require that prisoners awaiting trial be kept separate from those sentenced. In the old jails this is often disregarded. Accused persons and sentenced prisoners are kept on the same tier and mingled together in the corridor or pit. In the new jails, separation is secured by assigning one tier or section of the jail to the accused and another to sentenced prisoners, but their quarters do not essentially differ and their method of treatment is practically the same. One may well ask the question: If this is punishment for the sentenced prisoner, is it not likewise punishment for the accused? Can the question may be inverted, and we may ask, if accused prisoners are treated as if they are guilty, why should condemned prisoners be treated as if they are innocent? For this is the impression one might get from visiting one of our county clubhouses, mistakenly called jails, and finding prisoners all together in the pit or in some of the larger cells smoking, or chewing tobacco, or playing cards.

The abominations of our county jails have been revealed again and again as sources of moral contamination and the propagatio



UNITED STATES PENITENTIARY AT ATLANTA: GENERAL VIEW OF THE BUILDINGS SHOWING BEGINNING OF WALL CONSTRUCTION.



UNITED STATES PENITENTIARY AT ATLANTA: THE CORRIDOR OF CELL BLOCK.

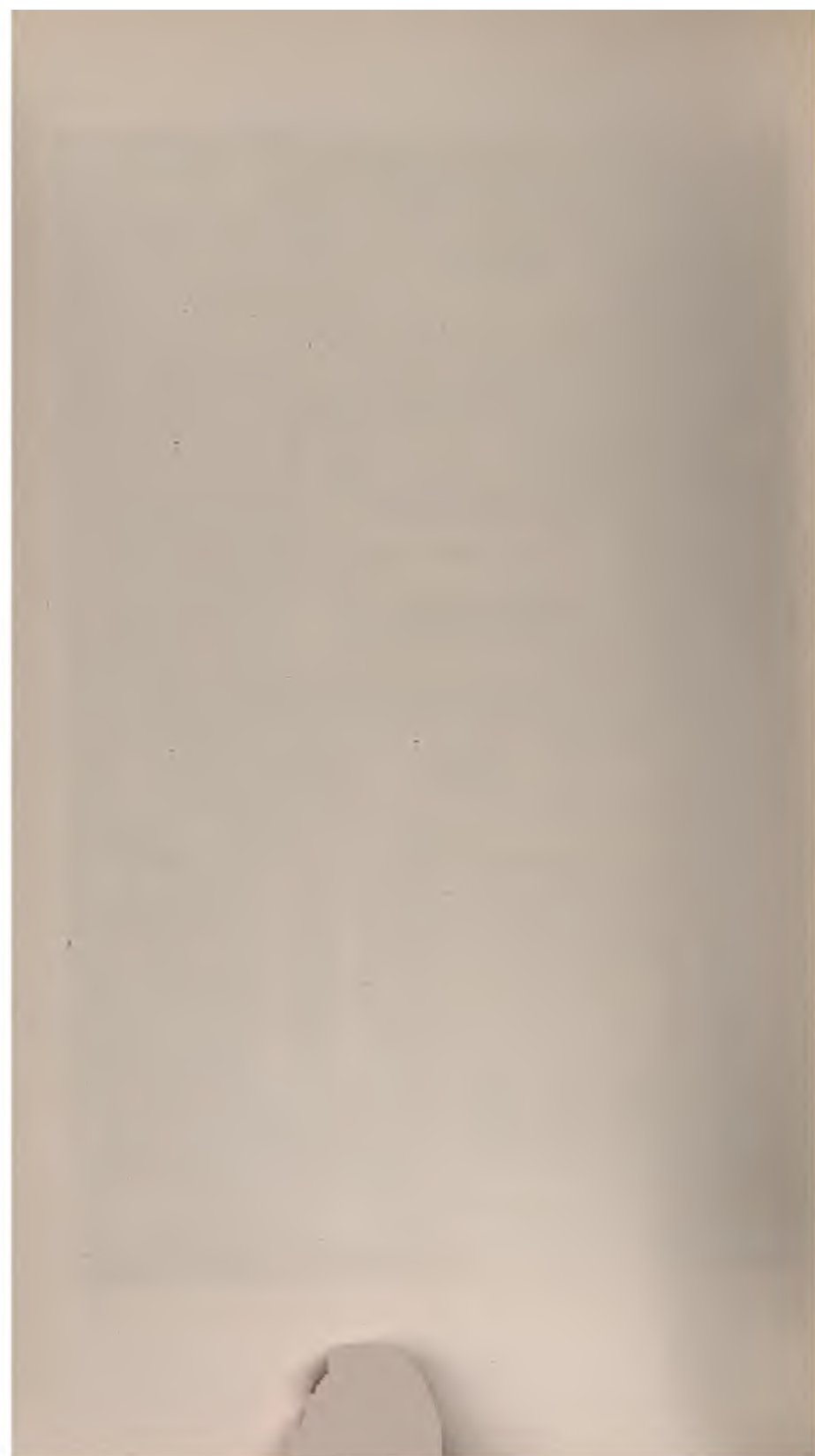


UNITED STATES PENITENTIARY AT ATLANTA: THE DINING-ROOM WITH CONVICTS AT DINNIE.



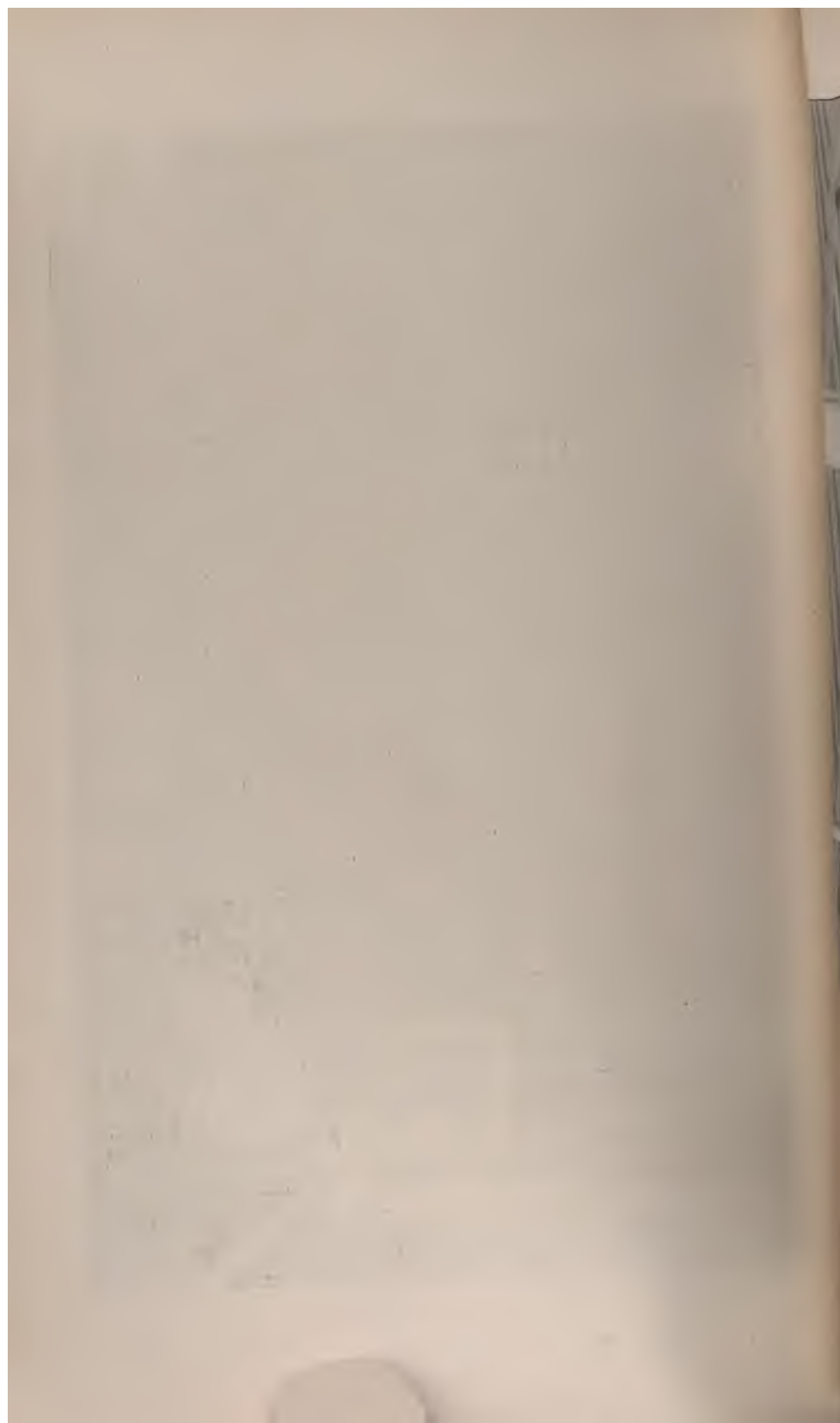


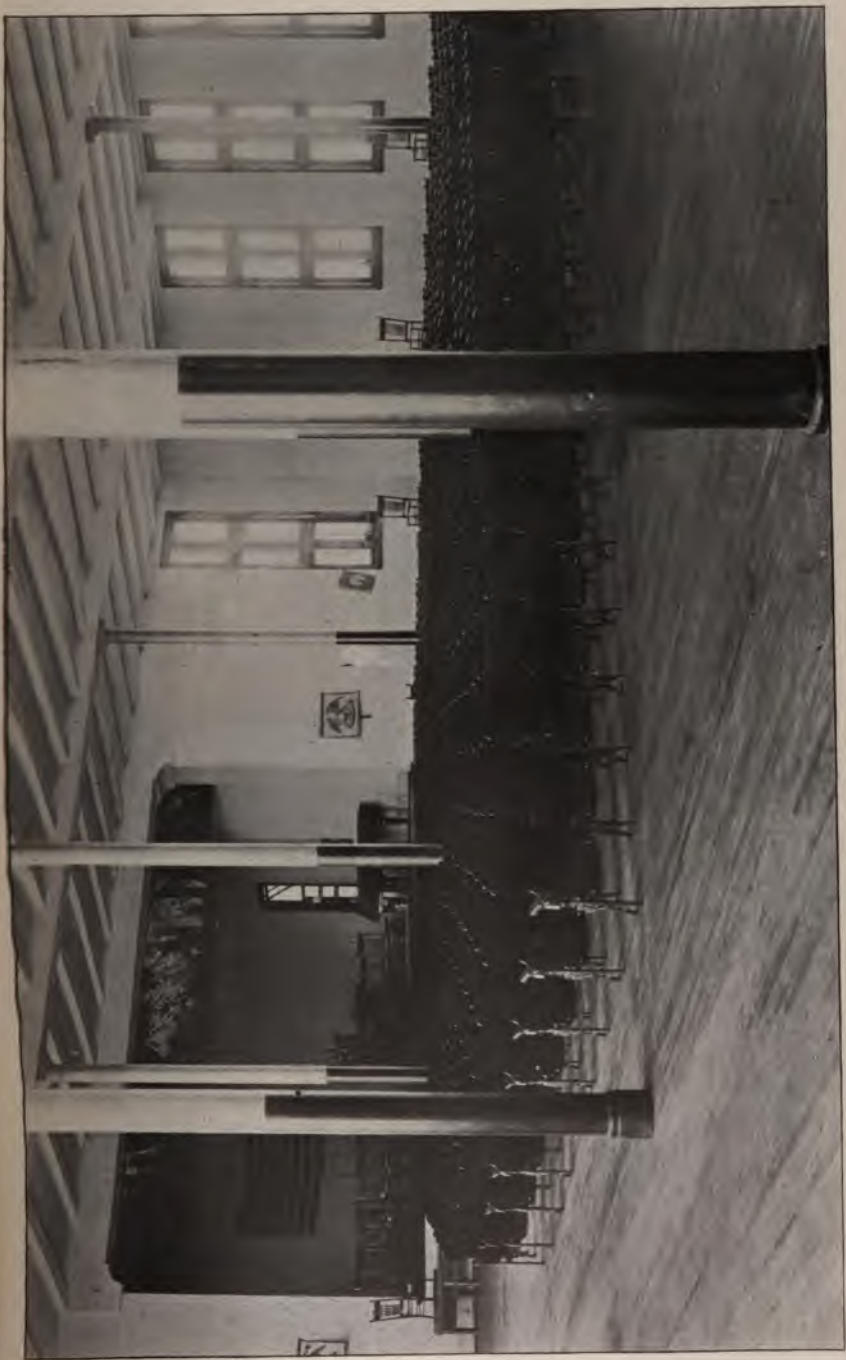
UNITED STATES PENITENTIARY AT ATLANTA: THE KITCHEN.





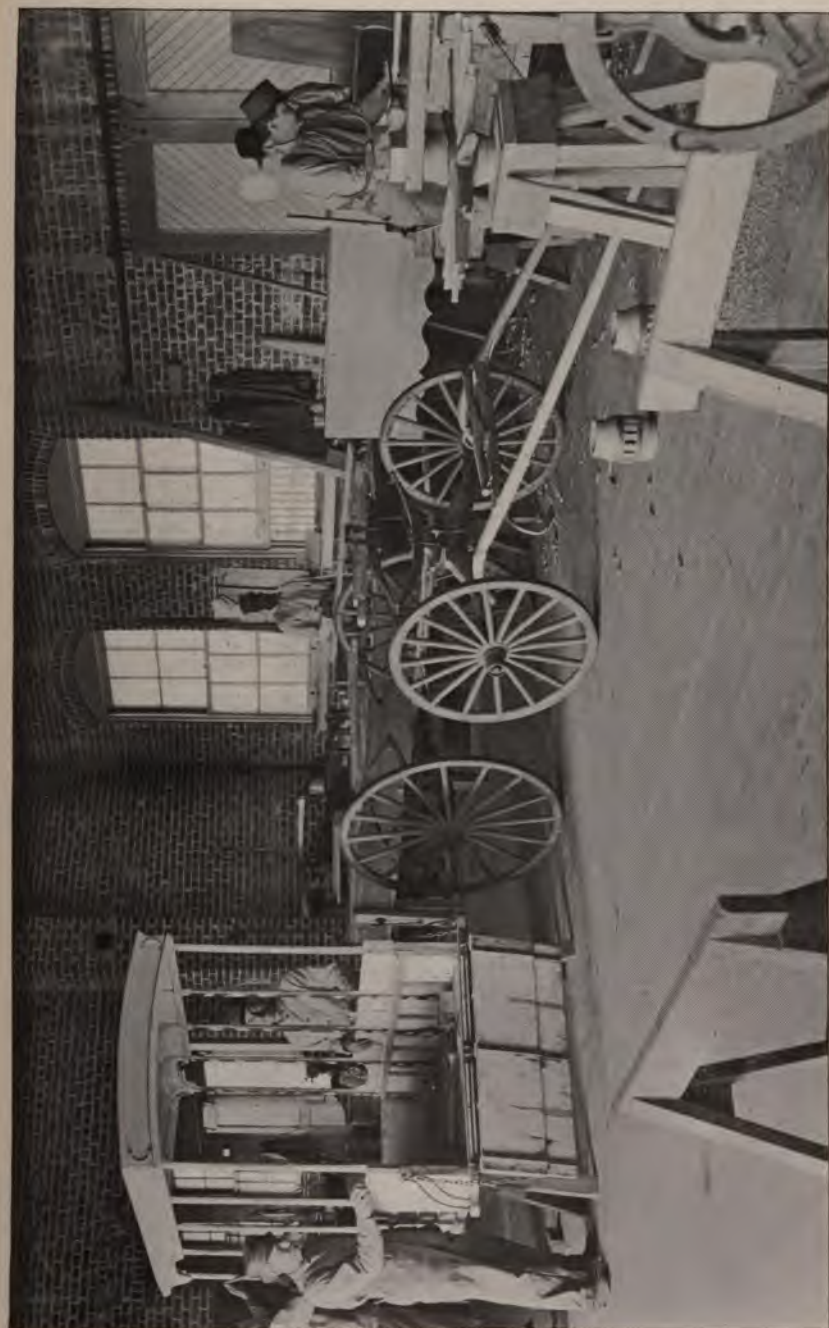
UNITED STATES PENITENTIARY AT ATLANTA : THE DISPENSARY.





UNITED STATES PENITENTIARY AT ATLANTA : THE CHAPEL.





UNITED STATES PENITENTIARY AT ATLANTA : THE CARPENTER SHOP.





UNITED STATES PENITENTIARY AT ATLANTA: THE GRANITE SHOP.



UNITED STATES PENITENTIARY AT ATLANTA: WALL CONSTRUCTION.

of crime. The only way to secure radical relief from the difficulty is to reorganize our penal system so that county jails shall simply be houses of detention for those awaiting trial and the confinement of persons under civil process. All others should be sent to such institutions under the control of the State as a proper classification of prisoners should provide. Thus the boys and girls should go to reformatories, those beyond the age limit of youthful offenders should go to houses of correction, penitentiaries, or state prisons, while habitual drunkards should be sent to inebriate hospitals, and habitual criminals segregated in colonies or institutions designed for them.

The real model jail, therefore, is not a penitentiary nor a house of correction, but a house of detention for those awaiting trial. When this idea of a jail is accepted the answer architecturally and otherwise may be comparatively simple and uniform.

SECURITY.

The object of holding a person under arrest is that he may be found when wanted. There are many cases in which persons are released on bail, the money bond being considered as a sufficient guarantee for their appearance. When bail is not accepted, or when a person cannot furnish it, the law may and does provide that he may be held in security until wanted. This security has two aspects, the security of society against the escape of the prisoner, and the security of the prisoner against attacks or lynching by a mob. In law-abiding communities, this protection of the prisoner is seldom endangered, but in communities where lynching has become a dangerous habit, the prisoner needs to be guarded against any outburst of this reckless and lawless brutality.

A GOOD SITE.

The very first condition of a good jail, that of a good site, is most often neglected. The new jail is put where the old jail used to be. The old jail was an annex, extension, or adjunct to the courthouse. If all prisoners or the majority of them could be tried in a day or two after arrest, there would be more excuse for making the jail an annex to the courthouse to avoid the trouble and cost in transportation. In

many jails prisoners are held ten, twenty, fifty, and even ninety days awaiting trial. There is no occasion for them to be held under the shadow of the courthouse for that time, the objection to which is that the courthouse is generally in the center of the town and that no provision is made in connection with it for one of the most important requirements, namely, a jail yard.

There is no reason why the law should deprive men who are awaiting trial—or any other prisoner, for that matter—of the opportunity for daily exercise in the open air. I recently visited some twenty jails in New York State and not one of them had a jail yard in which prisoners could be exercised. In most foreign jails and prisons this exercise in the open air is regarded as an absolute necessity. In Canada, prisoners have an hour of such out-of-door exercise in the morning and an hour in the afternoon.

SANITARY FEATURES.

A jail should of course be fireproof and should conform to all modern sanitary requirements. The substitution of steel for stone or brick for the cell building not only furnishes greater security, but also furnishes protection against vermin. The matter of health is one of the first importance. No prisoners, whether sentenced or awaiting trial, should be deprived of sunlight and fresh air. Sanitary science has made great advance in recent years. Especially have we come to understand better than ever the conditions which favor or restrict the favor of tuberculosis, the scourge of prison life. Abundance of sunlight and fresh air are necessary for its prevention or treatment. A good deal of the tuberculosis that develops in prison life is engendered or developed in unsanitary jails. Buildings erected fifty or seventy-five years ago seldom fulfil the conditions required by modern knowledge.

TYPE OF BUILDING.

As to the type of building, there is more room here for the modern architect to design a jail which shall include all the conditions of health and security. To achieve these nothing grotesque or bizarre is necessary. Some time ago the Pauly Jail Company designed a

round jail, a steel structure set in brick walls in which the whole cell structure revolves on a pivot, turned by a crank, worked by the jailor. An example of this is seen in Oswego, N. Y. It is aptly named the "merry-go-round," since it turns like a carousel on its pivot whenever a prisoner is admitted or released. The only solemnity about the process is that the waltzing is done without music. This jail is not a success, either as to security or sanitation. I visited last year a round prison in Holland in which the revolutionary feature was omitted, but all the cells were placed on the periphery of the circle, leaving a very large space in the interior which was not utilized except as a guard room. There was one advantage—the keeper in the center of the prison could, by turning on his heel, see every door of every cell.

Where the building is to contain a large number of prisoners, not usually the case with jails except in large cities, there are some advantages in the cruciform structure. The new prison at Fresnes in France, one of the finest prisons in the world, consists, however, of a number of rectangular buildings connected by a central corridor.

Whatever form be used, whether circular, cruciform, triangular, or rectangular, provision should be made for the direct entrance of sunlight into the cell. This is even more important for a jail than for a house of correction or for a prison, for the cell in the jail is practically the living room of the prisoner awaiting trial from which he only goes to take his exercise; whereas sentenced prisoners in any system rightly deserving the name of humane or rational are assigned to work in shops, on roads, or in the fields. It is perfectly possible to make the window of a cell quite as secure as the door, and yet admit plenty of sunlight and fresh air. Such windows can be so constructed as to guard against communication from outside. And if jails are located in the suburbs and not in the centers of villages, and if they are surrounded by a good jail yard properly walled instead of being set directly on a public street, as they are in some of our counties, clandestine communication is easily cut off; though it must always be understood that no jail structure can take the place of or do the work that must be done by a vigilant guard.

TREASURER'S ACCOUNT

FOR THE YEAR ENDING DECEMBER 31, 1903.

CURRENT FUND.

Dr.

Balance in Mechanics National Bank, January 1.....	\$3,463 69
Petty cash account.....	128 99
	<hr/>
	\$3,592 68
Donations	9,436 36
State Reformatory.....	1,200 00
Rent	786 00
	<hr/>
	\$15,015 04
	<hr/>

Cr.

Expenses of agency for relief of discharged persons under arrest and on probation in the care of the association	\$5,729 97
Expense of State organization, prison and jail inspec- tion and county work.....	4,855 65
Furniture and fixtures.....	164 46
Taxes, assessment and water rent.....	142 05
Interest on \$5,500 mortgage on 135 East Fifteenth street	220 00
House expenses.....	497 87
	<hr/>
	\$11,610 00
Balance on hand December 31, 1903.....	3,405 04
	<hr/>
	\$15,015 04
	<hr/>

RESERVE FUND.

Balance on hand.....	\$2,498 85
Interest allowed by New York Life Insurance and Trust Co. to December 31, 1903.....	71 57
Balance at credit of reserve fund, December 31, 1903..	<u>\$2,570 42</u>

We hereby certify that we have examined the treasurer's and the corresponding secretary's books, bank book, and vouchers of the account of the Prison Association of New York for the year ending December 31, 1903, and declare the same to be correct in all respects.

(Signed) TOWNSEND & DIX,
Certified Public Accountants.

JANUARY 8, 1904.

COUNTY COMMITTEES.

In order to secure proper attention to local conditions, and cooperation with reference to the general prison system of the State, the plan of organization of the Prison Association of New York involves the formation of a corresponding and cooperating committee in each county of the State. The persons in the following counties have accepted such positions and additional lists of members are in preparation:

Broome county.—Residence, Binghamton, Dr. J. G. Orton, H. M. Beecher, Austin S. Bump, D. H. Carver, Dr. J. M. Farrington, S. J. Hirshman, E. C. Tichener, William A. White.

Cattaraugus county.—Residence, Portville, Hon. W. B. Merse-
reau.

Cayuga county.—Residence, Auburn, Frank W. Richardson, Dr. Cheeseman, Prof. Arthur S. Hoyt, Mrs. Mary C. Beardsley, Frederick Sefton, M. D., Rev. E. W. Miller.

Chemung county.—Residence, Elmira, Z. R. Brockway, Rev. William T. Henry, W. C. Peebles, Mrs. J. H. Pierce, Hon. Charles R. Pratt, Theron H. Wales, M. D.

Chenango county.—Residence, Norwich, Nelson P. Bonny, J. L. Ray, Rev. Daniel W. Dexter.

Clinton county.—Residence, Plattsburg, James Eckersley, W. C. Pike.

Delaware county.—Residence, Delhi, Andrew J. Nicol, James K. Penfield.

Erie county.—Residence, Buffalo, A. G. Sherman, George B. Bell, C. B. Armstrong.

Essex county.—Residence, Keene Centre, John Martin, Mrs. John Martin, Horace Nye, Mrs. Lilian Winch.

Genesee county.—Residence, Batavia, H. J. Burkhart.

Greene county.—Residence, Greenville, Chas. P. McCabe; residence, Catskill, J. I. Olney, Jeremiah Day.

Herkimer county.—Residence, Herkimer, O. H. Dock, M. D.

Jefferson county.—Residence, Watertown, J. C. Knowlton, Jesse M. Adams, Rev. Richard G. Keyes.

Livingston county.—Residence, Geneseo, Dr. John H. Milne; residence, Dansville, Dr. James H. Jackson, A. O. Bunnell.

Monroe county.—Residence, Rochester, William E. Sutherland, Judge Arthur E. Sutherland, Quincy Van Voorhis.

Montgomery county.—Residence, Fonda, W. Frothingham, J. C. Caton.

Oneida county.—Residence, Clinton, Rev. E. P. Powell.

Onondaga county.—Residence, Syracuse, A. B. Blodgett, J. C. Carson, Henry N. Hyde, Rev. E. W. Mundy.

Ontario county.—residence, Canandaigua, Dr. C. T. Mitchell; residence, Seneca Castle, Levi Page.

Oswego county.—Residence, Oswego, C. H. Butler, Gilbert Morrison.

St. Lawrence county.—Residence, Canton, Charles Caldwell, Worth Chamberlain, Mrs. D. L. Jackson, Dr. Payson, W. R. Remington; residence, Ogdensburg, Robert J. Donahue, Bishop Henry Gabriels.

Steuben county.—Residence, Atlanta, H. C. Hatch, residence, Hornellsville, B. F. Smith, M. F. Smith; residence, Hammondsport, Monroe Wheeler.

Wyoming county.—Residence, Warsaw, H. E. Cresser.

HONORARY CORRESPONDING MEMBERS.

UNITED STATES.

Alabama.—R. H. Dawson, Montgomery; Miss Julia S. Tutwiler, Livingston; Mrs. R. D. Johnston, Birmingham.

Colorado.—J. S. Appel, Denver; William F. Slocum, Colorado Springs.

California.—Brainard F. Smith, Represa, Sacramento, Cal.

Connecticut.—Francis Wayland, New Haven; John C. Taylor, Hartford.

Florida.—L. B. Wombwell, Tallahassee.

Illinois.—Prof. C. R. Henderson, Rev. H. H. Hart, Chicago.

Indiana.—Thos. E. Ellison, Fort Wayne; Alvin T. Hert, Jefferson; C. H. Reeve, Plymouth.

Kansas.—John D. Milliken, McPherson; R. W. McClaughry, Fort Leavenworth.

Louisiana.—Michael Heymann, Clarence F. Law, New Orleans.

Maine.—William Sawyer, Portland.

Maryland.—G. S. Griffith, Baltimore.

Massachusetts.—W. F. Spaulding, Boston; F. B. Sanborn, Concord.

Michigan.—Levi L. Barbour, Detroit; L. C. Storrs, Lansing.

Minnesota.—Samuel G. Smith, St. Paul; Austin H. Young, Minneapolis.

Missouri.—Thos. P. Haley, Kansas City.

New Jersey.—E. J. Anderson, Trenton.

New York.—Z. R. Brockway, Elmira.

North Carolina.—Col. W. F. Beasley, Plymouth.

North Dakota.—N. F. Boucher, Bismarck.

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Ludlam, George P.....	10 00
Lusk, Dr. William C.....	5 00
Lynes, Mrs. Elizabeth.....	10 00
McCook, Col. John J.....	10 00

McCord, William H.....	\$10 00
McCormick, Mrs. R. Hall.....	10 00
McCreery, Mrs. James M.....	5 00
McCurdy, Richard A.....	50 00
McDonald, Miss Bessie F.....	5 00
McEwen, D. C.....	5 00
McEwen, Thomas, Jr.....	2 00
McKim, J. A.....	10 00
McKim, LeRoy	10 00
McLane, Mrs. Adelaide P.....	5 00
MacLaren, Mrs. F.....	25 00
McLean, John S.....	10 00
McMahon, Fulton	5 00
McMahon, James	25 00
Macy, V. Everit.....	25 00
Macy, Mrs. William H.....	10 00
Mager, Mrs. Robert F.....	10 00
Maillard, Henry, Jr.....	5 00
Main, William	2 00
Maitland, Robert L.....	10 00
Manning, R. F.....	5 00
Mansfield, Howard	5 00
Marc, Theophilus M.....	10 00
March, Miss Virginia A.....	2 00
Markoe, Francis H. M. D.....	50 00
Martin, John	5 00
Martin, William V.....	5 00
Marvin, Dr. D. M.....	5 00
Mason, Miss S. C.....	5 00
Maury, C. W.....	25 00
Maxwell, Mrs. Robert M.....	10 00
Mendelson, Mr. Simon.....	2 00
Merriam, Miss Annie L.....	5 00
Merrill, Mrs. Payson.....	5 00
Meserole, A.....	10 00
Meyer, Wm. & Co.....	10 00

Middleton & Co.....	\$10 00
Milbank, Mrs. Joseph.....	50 00
Miller, Mrs. A.....	10 00
Minturn, Mrs. John W.....	10 00
Mitchell, Mrs. Moncrieff.....	10 00
Mitchell, Roland G.....	50 00
Mitchell, William.....	10 00
Mix, Robert J.....	5 00
Moller, Edwin Clarence.....	10 00
Monteath, Miss Sarah J.....	5 00
Moore, Mrs. Edward C.....	10 00
Moore, Miss Katharine T.....	10 00
Moore, W. H. H.....	10 00
Morgan, E. D.....	20 00
Morgan, George H.....	10 00
Morgan, Mrs. J. Pierpont.....	10 00
Morse, Daniel P.....	10 00
Mortimer, Mrs. W. Y.....	50 00
Mott, Lewis F.....	5 00
Mott, W. F.....	5 00
Mounier, Louis.....	1 00
Mumm, John F.....	5 00
Munn, Charles A.....	10 00
Munn, O. D.....	10 00
Munroe, Mrs. Chester.....	5 00
Murray, Miss Catherine.....	2 00
Nicholls, Seth.....	10 00
Nill, John.....	5 00
North, Thomas M.....	10 00
O'Connor, Miss Katharine.....	5 00
O'Connor, Thomas II.....	25 00
O'Donohue, Mrs. Joseph J.....	5 00
Offerman, John.....	10 00
Ogilvie, Mrs. John S.....	5 00
Olcott, Dudley.....	25 00
Olcott, George M.....	25 00

Olmsted, Mrs. Charles T.....	\$10 00
Olyphant, J. Kensett.....	10 00
Olyphant, Robert M.....	10 00
O'Neill, Mrs. H.....	10 00
Oothout, Mrs. Jane E.....	10 00
Opdycke, Mrs. Emerson.....	10 00
Opdyke, Mrs. W. S.....	5 00
Openhym, William, & Sons.....	10 00
Oppenheimer, Dr. Henry S.....	5 00
Ormsbee, A. I.....	5 00
Ortgies, John.....	5 00
Osborn, Mrs. William Church.....	10 00
Otterson, Miss Lucy.....	5 00
Ovington, Theodore T.....	10 00
Palmer, General W. J.....	10 00
Parish, Henry.....	50 00
Parish, Miss Susan D.....	25 00
Parker & McIntyre.....	3 00
Parsell, Mrs. H. V.....	10 00
Parsons, Mrs. Edwin.....	10 00
Parsons, John E.....	10 00
Partridge, Mrs. E. L.....	5 00
Patterson, C. G.....	10 00
Pavenstedt, Adolf.....	10 00
Peabody, George Foster.....	50 00
Pease, Walter A. Jr.....	1 00
Pederson, Dr. James.....	1 00
Penfold, Miss Josephine.....	10 00
Perkins, Goodwin & Co.....	5 00
Perry, W. Herbert.....	2 00
Pettit, John J.....	5 00
Pettigrew, R. H.....	2 00
Philip, Edward C.....	1 00
Phipps, Miss Sarah M.....	15 00
Pillot, Clara.....	25 00
Pinchot, Mrs. Amos.....	5 00

Pinkerton, Robert A.....	\$10 00
Pitkin, W. H.....	25 00
Plaut, Albert.....	10 00
Planten, John R.....	10 00
Plunkitt, Hon. Geo. W.....	10 00
Polk, Mrs. William M.....	5 00
Pollard, Joseph G.....	2 00
Pomroy, H. A.....	10 00
Pope, Miss Elizabeth A.....	3 00
Post, A. S.....	10 00
Potter, Miss Martha.....	10 00
Pouch, F. E.....	5 00
Powers, Mrs. Jennie Turner.....	5 00
Prime, Miss Mary R.....	10 00
Pumpelly, John.....	10 00
Putnam Son's, G. P.....	10 00
Quattlander, Rev. Paul.....	2 00
Rand, Rev. William W.....	2 00
Raymond, Charles H.....	25 00
Raymond, R. W.....	10 00
Read, William A.....	25 00
Reilly, F. James.....	10 00
Rhineland, Miss Serena.....	200 00
Rhoades, Miss J. H.....	5 00
Righter, J. H.....	10 00
Riker, Samuel.....	10 00
Ripley, Mrs. Louis A.....	10 00
Rives, George L.....	20 00
Robb, Hon. J. Hampden.....	10 00
Robbins, E.....	5 00
Robbins, Mrs. W. H.....	5 00
Roberts, Mrs. M. L.....	5 00
Rockwell, Miss Hannah M.....	5 00
Roessler & Hesslacher Chemical Co.....	10 00
Rollins, W. F.....	5 00
Root, Charles T.....	5 00

Ross, W. A. & Bros.....	\$10 00
Rothschild Bros & Co.....	5 00
Rowland, Thomas F.....	20 00
Rumpf, Mrs. Charles.....	5 00
Rushmore, J. D., M. D.....	2 00
Russell, Miss Josephine.....	10 00
Russell, J. W.....	2 00
Sachs, Louis.....	5 00
Sackett, Henry W.....	5 00
Sage, Mrs. Dean.....	50 00
Saint Gaudens, Augustus.....	10 00
Sargent, Miss G. W.....	10 00
Sard, Grange.....	10 00
Satterlee, Col. Herbert L.....	25 00
Sawyer, Mrs. P. C.....	10 00
Saxton, B. F.....	25 00
Schafer Bros.....	10 00
Schenck, Mrs. A. H.....	10 00
Schermerhorn, F. Augustus.....	100 00
Schieffelin & Co.....	10 00
Schieffelin, Mrs. Wm. Jay.....	10 00
Schieffelin, William Jay.....	20 00
Schieren, Mrs. Charles A.....	5 00
Schiff, Jacob H.....	25 00
Schott, Charles M. Jr.....	10 00
Schultz, Carl H.....	10 00
Schuyler, Miss L. L.....	5 00
Schuyler, Philip.....	15 00
Schwab, Mrs. Gustav.....	5 00
Schwab, Rev. L. Henry.....	5 00
Scott, Miss Louise B.....	10 00
Scribner, Mrs. J. Blair.....	20 00
See, A. B., Electric Elevator Co.....	10 00
Seligman, Miss Alice F.....	5 00
Seligman, George W.....	10 00
Seligman, Isaac N.....	10 00

Seligman, Mrs. Jesse.....	\$5 00
Seligman, J. W. & Co.....	25 00
Sellew, T. G.....	10 00
Sheldon, James O.....	10 00
Shepard, Edward M.....	10 00
Shepard, Mrs. Elliott F.....	25 00
Sherman, Mrs. Charles E.....	5 00
Sherman, Frederick T.....	5 00
Sidenberg, Mrs. G.....	10 00
Sidenberg, G. & Co.....	10 00
Simons, C. D.....	5 00
Sinclair, John.....	10 00
Sirota, Mr. H.....	5 00
Skeel, Mrs. Roswell.....	15 00
Slade, Francis Louis.....	5 00
Slade, Miss Mabel.....	10 00
Slicer, Mrs. Thomas R.....	5 00
Smith, Rev. Cornelius B.....	5 00
Smith, Frank G.....	5 00
Smith, George C.....	10 00
Smith, James Rufus.....	10 00
Smith, William Alexander.....	10 00
Smith, W. Wheeler.....	10 00
Sooysmith, Charles.....	5 00
Speers, James M.....	10 00
Speyer & Co.....	10 00
Speyer, Leo.....	10 00
Spool Cotton Co.....	25 00
Stamford Mfg Co.....	20 00
Starr, Theodore B.....	10 00
Steele, Charles.....	10 00
Steers, James R.....	10 00
Stein, A.....	5 00
Steinway, F. T.....	5 00
Stern, Benjamin.....	10 00
Sterry, George E.....	10 00

Stetson, Mrs. F. L.....	\$25 00
Stevens, Mrs. Byam K.....	10 00
Stewart, Hon. W. R.....	10 00
Stewart, William W.....	10 00
Stickney, Joseph.....	10 00
Stimson, Mrs. H. C.....	5 00
Stine, J. R. & Co.....	10 00
Stokes, Anson Phelps.....	25 00
Stokes, J. G. Phelps.....	50 00
Stone, Miss Annie.....	10 00
Stone, Mason A.....	5 00
Storer, Mrs. Albert.....	5 00
Stuyvesant, Rutherford.....	10 00
Sullivan, Isabella.....	10 00
Sumner, Miss Sarah F.....	5 00
Tappin, J. C.....	10 00
Tarbox, Hiram.....	1 00
Taylor, Rev. Matthew A.....	10 00
Thacher, Thomas.....	10 00
Thompson, Mrs. Frederick.....	50 00
Thomson, John W.....	10 00
Thorne, Edwin.....	10 00
Thorne, Jonathan.....	25 00
Thorne, Samuel.....	10 00
Thorne, W. V. S.....	5 00
Tiebout, C. H.....	5 00
Tiemann, D. F. & Co.....	10 00
Tiffany & Co.....	20 00
Tilley, George H.....	5 00
Tomkins, Calvin.....	5 00
Townsend, R. H. L.....	10 00
Trowbridge, James A.....	10 00
Tuck, Dr. Henry.....	5 00
Tuckerman, Alfred.....	10 00
Turnbull, Mrs. Ramsay.....	5 00

Turton, George L.....	\$5 00
Twitchell, Herbert K.....	2 00
Uhlmann, Frederick.....	10 00
Underhill, Townsend	25 00
Upham, Mrs. Elizabeth K.....	10 00
Vanderbilt, John L.....	3 00
Vanderpoel, Mrs. John A.....	5 00
Vanderveer, Mrs. E. F.....	3 00
Van Dike, Mrs. Henry.....	10 00
Van Ingen, Mrs. E. H.....	10 00
Van Santvoord, Miss A. T.....	10 00
Van Wrinkle, Miss M. D.....	10 00
Vermilye & Co.....	10 00
Vernon, Harold	1 00
Villard, Mrs. Henry.....	25 00
Villard, Oswald Garrison.....	10 00
Wadsworth, C. S.....	10 00
Waller, Miss Anna.....	2 00
Walter, Henry.....	10 00
Warburg, F. M.....	25 00
Ward, John Seely, Jr.....	50 00
Ward, Miss M. M.....	10 00
Weeks, Mr. A. A.....	25 00
Welling, W. B.....	5 00
Wells, Henry C.....	5 00
Wells, Miss Julia Chester.....	10 00
Wesendonck, Lorenz & Co.....	10 00
Wetmore, Dr. J. McE.....	10 00
Whaley, Mrs. S. D.....	2 00
Wheeler, F. Merriam.....	10 00
Wheelock, Dr. George G.....	10 00
White, A. T.....	10 00
White, Miss Caroline.....	10 00
White, Miss Mary.....	2 00
White, Mrs. Stamford.....	10 00

White, William A.....	\$10 00
Whitehead, A. Pennington.....	5 00
Whitehouse, Mrs. J. H.....	10 00
Whiting Paper Co.....	10 00
Whitlock, Mrs. D. B.....	10 00
Wicke, William.....	10 00
Wiggins, T. C., M. D.....	10 00
Wilkinson, Bros.....	5 00
Willcox, William G.....	5 00
Willetts, John T.....	15 00
Williams, Mrs. Georgiana P.....	5 00
Williamson, Mrs. D. D.....	5 00
Willis, W. P. & Co.....	25 00
Wills, Charles T.....	5 00
Wilson, Mrs. Isabella.....	12 00
Wingate, General George W.....	10 00
Winkhaus, Mrs. A. C.....	5 00
Winthrop, Egerton L.....	25 00
Winthrop, Mrs. Grenville.....	25 00
Winthrop, Miss Marie.....	25 00
Wisner, Miss Josephine.....	10 00
Wintringham, Sidney.....	25 00
Witherbee, Mrs. F. S.....	15 00
Wolff, Lewis S.....	10 00
Wood, Orrin S.....	10 00
Wood, Stephen.....	10 00
Woodford, Franklin E.....	1 00
Wormser, Miss Isador.....	10 00
Wray, Miss Julia.....	10 00
Wurzburger, Adolph.....	5 00
Ziegler, Henry.....	5 00
Zimmerman, Mrs. M. E.....	10 00

DONATIONS OF CLOTHING.

Adler, Mrs.	Kurzman, S. P.
Andrews, Mrs. J.	Lathers, Miss J.
Avery, S. P.	Lawrence, Mr.
Bayne, S. L.	Lawson, Mrs.
Begelting, Emil.	Leventritt, Judge David.
Bristol, E. L. M. (M. D.).	Liebmann, J.
Byers, Jos. J.	Liebmann, Julius.
Byers, Mrs. S.	Loomis, Chas. W.
Cassidy, James.	Lydig, David.
Clark, Cyrus.	McNeal, Mrs. J.
Clark, F. B.	Mackay, Mrs.
Cockcroft, Miss.	Mali, Mrs. P.
Dean, Mrs. B.	Mayo, Chas. B.
Dreyfoos, Mrs. J. L.	Merkeley, Mrs. D. T.
Dudley, Mr.	Merrill, Edward B.
Eddy, E. A.	Needlework Guild of America.
Emerson, Mrs. J. H.	Post, H. S.
Emery, Mrs.	Schermerhorn, Mrs. Alfred E.
Fisher, Miss Carrie.	Sergeant, Mrs. J. E.
Floyd-Jones, Mrs. G. S.	Serre, J. E.
Gilbert, George N.	Smith, Dr.
Goodale, Mrs. S. B.	Sperry, Mrs. H. M.
Hadden, Mrs. H. F.	Starrett, G.
Heard, A. A.	Sturgis, Mrs.
Herrick, Mrs. J. A.	Sugden, Eben.
Hirschbach, William.	Tuck, Dr. Henry.
Horton, Mrs. C. E.	Van Ness, Mrs. Mary L.
Howell, Wm. P.	Watson, Mrs. Joseph.
Howes, Rev. Dr.	Wickie, Mrs. J. L.
Howson, Mrs.	Williams, Mrs. E. C.
Jackson, Mrs. George T.	Wilson, George H.
Jacquelin, Mrs. J. H.	Wooster, Mrs.
Kiliani, Mrs. O.	Zabriskie, Andrew.
Kunhardt, W. B.	

DONATIONS OF READING MATTER, ETC.

All Souls Parish House.	Lichtenstein, Mrs. L.
Arthur, Mrs. E. L.	Lilienthal, Mrs. Albert.
Babcock, Mrs. S.	Mackay, Mrs.
Bailey, Miss.	Miller, Mrs.
Bishop, Mrs. George R.	Miller, Mrs. A.
Blanchard, F. R.	Mills, M. P.
Bogert, E. C.	Noyes, Mrs. Wm. C.
Brettauer, Mrs. J.	Ogden, Mrs. C. W.
Cassidy, James.	Paxton, M. L.
Clarkson, Mrs. Howard.	Perry, Mrs.
Dean, Mrs. B.	Post, H. S.
Draper, Mrs. Henry.	Reid, Mrs. Mary.
Eastman, A. S. R.	Reynolds, A.
East Side Fruit and Flower Mission.	Root, Mr.
Folsom, Mrs. C. L.	Sahler, A. F.
Gilbert, George N.	Scheffey, A. M.
Greenough, Mrs. John B.	Schwab, Mrs. N.
Henry, Mrs. H. S.	Sergeant, Mrs. J. E.
Hernsheim, Mrs. Joseph.	Shipman, Mrs. A. H.
Hernsheim, Mrs. Isidore.	Smith, J. B.
Hirschbach, William.	Somer, Mrs.
Hospital, Book and Newspaper Society.	Stephens, Mrs.
Howell, William P.	Stix, Mrs. S. L.
Inslee, Miss E.	Sturgis, Mrs.
Jackson, Mrs. George T.	Vail, Mrs. O. W.
Jacquelin, Mrs. J. H.	Van Ness, Mrs. Mary L.
Kendall, Miss Georgiana.	Werner, Mrs. L. J.
	Wolf, A.
	Youngheim, Mrs. E. A.

DESCRIPTION OF UNITED STATES PENITENTIARY AT ATLANTA, GEORGIA.

The site of the penitentiary lies southwest of the city of Atlanta, and just beyond the city limits, and contains 320 acres. The area enclosed by the wall and the front building is 27 acres. At present the general plan of the buildings consists of a cell building 338 feet long and 60 feet wide. In front of and attached to the cell building is a building 55 x 58 feet, to be used by the guards, but at present used as an administration building.

The cell building contains 190 steel cells in each half, making a total of 380 complete, in tiers five high. In the rear of the cell building is the building used as dining-room on the first floor, chapel in the second story, and hospital in the third story. This building is 95 x 100 feet. In the rear and connecting to the same is the kitchen which has wings used for cold storage, bakery, vegetable preparation rooms, etc. The boiler house is located as a separate building in the rear of the kitchen building. There are underground ducts, tunnels, etc., connecting all of the above buildings to carry electric wires, sewers, water and heating pipes. The cell building is equipped with a hot blast system of heating, with four vent shafts at the corners, which are connected to the utility corridors between cells and ventilate each cell. All the present buildings are of heavy brick masonry trimmed with cut stone, with fire-proof floors, both of cinder concrete and hollow tile construction. The buildings are designed primarily from the standpoint of utility and strength, all parts being made subservient to the economical and safe administration as prison buildings. The enclosing wall for the site is being built

of concrete, and averages about 28 feet in height. In the enclosure there has recently been built a carpenter shop and stone cutting shed.

In the future development of this penitentiary it is intended to build a cell wing in front of the present cell building which will be 550 feet long by 60 feet wide, and will have a capacity of 920 cells which will bring the total of cells to 1,200. This front cell building will completely cover all view of the present buildings and will be more architectural in character. In front of this future cell building will be the administration building 130 feet long by 45 feet. From this administration building there will be walks and driveways leading to the entrances.

The architects were Messrs. Eames and Young of St. Louis.

APPENDIX.

CHARTER OF THE PRISON ASSOCIATION OF NEW YORK.

AN ACT to incorporate the Prison Association of New York.

Passed, May 9, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.

2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a life patron; a

contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of \$50 shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and cooperating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

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ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their

duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER,

President.

* See section 24.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. The recording secretary of the Association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

VII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; and shall act as the general financial agent of the Association, and shall report at each stated meeting of the committee.

VIII. The treasurer shall have charge of the funds of the Association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.

IX. There shall be six standing committees, namely, on finance, detentions, discharged convicts, law, house, and library.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the Association shall be divided into three parts, to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The Endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the Association, and all legacies.

The Reserve Fund.—The Reserve Fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the Association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe keeping of the sureties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of the Association, subject to check of the treasurer, and shall, whenever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.—The term "General Fund" shall cover all receipts of the Association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the Association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary immediately on receipt by him of any sum for the account of the Association that such receipt may be entered at once to the credit of the proper account on the books of the Association.

The corresponding secretary shall be the general disbursing agent of the Association, the object of the provision being to keep in the central offices of the Association all receipts for payments by him for the Association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the Association and then deposited in such bank as directed by the treasurer to the credit of the Association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary,

which certified copy shall be the treasurer's authority for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the Association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the Association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make at the annual meeting of the Association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

XII. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature including pending bills and report their views and conclusions upon them; also to care for the law business of the Association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the Association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

XVII. The president, chairman of the executive committee, and corresponding secretary shall be members, ex-officio, of all the standing committees.

XVIII. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

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OF THE

PRISON ASSOCIATION

OF THE

STATE OF NEW YORK,

FOR THE YEAR 1892.

TRANSMITTED TO THE LEGISLATURE APRIL 5, 1893



FORTY-EIGHTH ANNUAL REPORT
OF THE
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OF THE
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FOR THE YEAR 1892.

TRANSMITTED TO THE LEGISLATURE APRIL 7, 1893.

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IN SENATE,

APRIL 7, 1893.

FORTY-EIGHTH ANNUAL REPORT

OF THE

Prison Association of New York, for Year 1892.

PRISON ASSOCIATION OF NEW YORK,
NO. 135 EAST FIFTEENTH ST., NEW YORK CITY. }

HON. WILLIAM F. SHEEHAN, *Lieutenant-Governor* :

SIR.—In accordance with chapter 163 of the Laws of 1846 we have the honor to present herewith the forty-eighth annual report of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

Respectfully yours.

CHARLTON T. LEWIS,
President.

W. M. F. ROUND,
Corresponding Secretary.



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LOCAL COMMITTEES FOR CO-OPERATION AND CORRESPONDENCE.

Albany county.

Residence, Albany.—Rt. Rev. W. C. Doane, Rev. W. W. Battey, D. D., John H. Van Antwerp, Dudley Olcott, Abraham Lansing, Rev. James H. Ecob, D. D., J. H. Hulsapple, Albert Vander Veer, C. P. Williams, James T. Tracey & James Fenimore Cooper, Bishop Doane, chairman; Dr. Sage, treasurer; James Fenimore Cooper, secretary.

Residence, Cohoes.—Earl Z. Stinson.

Committee on jails and station-houses.—Robert C. Pruyn, chairman; Rev. James H. Ecob, D. D., Dr. Vander Veer, J. Hulsapple, Abraham Lansing, Matthew Hale, Towns Lansing.

Committee on penitentiary.—C. P. Williams, chairman; Dr. Sage, James T. Tracey, Dudley Olcott.

Executive committee.—Bishop Doane, Dean Sage, James Fenimore Cooper, C. P. Williams, Robert C. Pruyn.

Allegany county.

To be appointed under the new rules.

Broome county.

Residence, Binghamton.—Dr. John G. Orton, B. N. Loomis, M. Noyes, E. K. Clarke, D. H. Carver, J. W. Manier, Charles Wilkinson, Avery Cromse, Julius Rogers, Dr. F. W. Putnam, Dr. J. H. Chittenden, H. M. Beecher, C. R. Williams, L. Thompson, E. C. Tichener.

Cattaraugus county.

Residence, Little Valley.—Arthur H. Howe, Dr. L. Twombly.

Cayuga county.

Residence, Auburn.—H. V. Howland, Rev. C. C. Hemenway, W. O. Magee, Rev. J. K. Dixon, Charles E. Thorne, Frank W. Richardson, Dr. W. S. Chasman, Mrs. Charlotte C. Bates, Mrs. Miles Perry, Mrs. John W. Haight.

Residence, Union Springs.—Mrs. Mary H. Thomas.

Residence, Weedsport.—Homer Rheubottom.

Residence, Aurora.—Lansing Zabriskie.

Residence, Willowbrook.—Mrs. E. T. Throop Martin.

Chautauqua county.

Residence, Mayville.—Rev. J. H. Miller, William Chase.

Residence, Fredonia.—M. S. Moore.

Residence, Westfield.—Alfred Patterson.

Residence, Jamestown.—Hon. Jerome C. Preston.

Chemung county.

Residence, Elmira.—Dr. W. C. Wey, Z. R. Brockway, J. D. F. Slee, Rev. C. H. McKnight, Dr. Ira T. Hart, D. Atwater, Frederick Mall, M. S. Converse, Major E. O. Beers.

Chenango county.

Residence, Norwich.—Dr. H. H. Beecher, B. Gage Berry, Daniel M. Homes, Cyrus B. Martin.

Clinton county.

Residence, Plattsburgh.—Hon. William P. Moores, Henry Orvis, R. F. B. Hall.

Residence, Keeseville.—Hon. Henry Kingsland, 2d.

Columbia county.

Residence, Hudson.—A. S. Peet.

Cortland county.

Residence, Cortlandville.—Lewis Bouton, Frank Place, Dr. Frederick Hyde.

Residence, Homer.—Dr. Caleb Green, Thomas S. Ranney.

Delaware county.

Residence, Delhi.—T. W. Brown, Mrs. W. H. Griswold, Mrs. F. Jacobs, Jr., Mrs. W. Youmans, Dr. H. A. Gates, Mrs. H. A. Gates, Mrs. C. A. Frost, Rev. F. H. Seeley, Rev. J. S. Robinson, James Penfield, Mrs. James Penfield, Adam Scott, Mrs. Adam Scott.

Dutchess county.

Residence, Poughkeepsie.—Dr. Edward H. Parker, Edmund Platt, Robert F. Wilkinson, Warren G. Cowle, Mrs. Mary G. Underhill

Erie county.

Residence, Buffalo.—James Lyons, P. J. Ferris, Dr. John D. Hill, David P. Page, Mrs. A. McPherson.

Essex county.

Residence, Elizabethtown.—Dr. S. E. Hale, Francis A. Smith, Richard L. Hand, Abijah Perry, Robert W. Livingston.

Franklin county.

Residence, Malone.—Dr. S. P. Bates, F. T. Heath, Hon. John L. Gilbert, J. P. Badger, Newcomb H. Munsill, Julius C. Saunders Martin E. McClary, Charles Ferry, Frederick G. Paddock Charles L. Hubbard, Henry A. Miller, Rev. J. W. Ashworth Rev. Charles S. Richardson, Rev. W. G. W. Lewis, Rev. I. D. Peaslee.

Fulton county.

Residence, Johnstown.—Jacob Burton.

Residence, Gloversville.—John Ferguson, Dr. Eugene Beach.

Genesee county.

Residence, Batavia.—Professor G. Fuller, Hon. J. R. Holmes.

Greene county.

To be appointed.

Hamilton county.

Residence, Wells.—G. B. Morrison.

Residence, Sageville.—William H. Fry.

Herkimer county.

To be appointed.

Jefferson county.

Residence, Watertown.—Rev. Richard G. Keyes, Jesse M. Adams.

Kings county.

Residence, Brooklyn.—William H. Male, Lester W. Beasley, Henry R. Jones, Dr. A. Matthewson, George H. Fisher, Henry Batterman, Isaac H. Cary, Alexander Forman, Dr. T. J. Backus, George C. Brackett, John B. Woodward, Dean Sage, Charles A. Schieren, Abbott L. Dow, C. D. Wood, E. H. Kidder, Albert C. Perkins, Willis L. Ogden, Thomas S. Moore, Franklin Allen, Churchill H. Cutting, F. P. Bellamy.

Lewis county.

Residence, Lowville.—Rev. Joseph H. France, Amos Rice, Carroll House, Royal P. Wilbur.

Residence, Croghan.—Hon. William W. Rice.

Livingston county.

Residence, Geneseo.—Professor W. J. Milne, Rev. C. H. Boynton, Ph. D.

Madison county.

Residence, Morrisville.—D. D. Chase, H. P. Meade, Lucius P. Clark.

Residence, Oneida.—W. R. Williams.

Montgomery county.

Residence, Fonda.—Rev. W. Frothingham.

Monroe county.

Residence, Rochester.—Dr. E. V. Stoddard, Quincey Van Voorhis, Theodore Bacon, Col. J. S. Graham, Rev. Mr. Landsberg, Rev. Myron Adams, Hon. Oscar Craig, Hon. W. S. Hubbell, E. O. Sage, Gilman H. Perkins, George E. Munford, Colonel Charles Fitch.

New York county.

The association's committee on detentions and discharged prisoners.

Niagara county.

Residence, Lockport.—M. H. Weber, Dr. J. B. Hartwell, Dr. A. W. Tyron, Mrs. Robert Norton, Myron H. Tarbox, Mrs. M. McGlashan, J. S. Helmer, Rev. Dr. Cushing, Rev. M. D. Babcock, Rev. P. Cannon, Mrs. Burt Van Horn, Mrs. A. L. Dietrick, Mrs. Montgomery, care of Mrs. Robert Norton, William H. O'Keefe, Moses Brady.

Oneida county.

Residence, Utica.—Colonel Theodore P. Cook, John F. Seymour, Dr. Edwin Hutchinson, Charles H. Warren, Edwin Hunt, Hon. P. J. Bridges, Rev. I. S. Hartley, Rev. C. E. Gardner, Rev. Father Lynch, Rev. Charles F. Bachman.
Residence, Rome.—Simon G. Visscher, Mr. Converse, Dr. Dutton, Mrs. Jay Hildreth, Hon. Henry A. Foster.

Onondaga county.

Residence, Syracuse.—Hon. P. Burns, A. C. Williams, Dr. H. B. Wilbur, Rev. M. Baird, Dr. R. W. Pease, Hon. W. H. H. Gere, Timothy Hough, M. W. Hanchett, Timothy R. Porter, J. C. Williams, Dr. E. E. Van DeWalker, James A. Skinner, G. L. Bonta, A. L. Merrick, Major H. W. Clarke, secretary.

Ontario county.

Residence, Canandaigua.—Cyrus W. Dixon, Mrs. Collins Hart, Professor Edward Tyler, Hon. James C. Smith, Levi B. Gaylord.
Residence, Geneva.—T. C. Maxwell, Arthur P. Pease.

Orange county.

Residence, Newburgh.—Rev. John Forsyth, D. D., H. A. Jones, Rev. H. V. S. Myers, John L. Sloat, Charles Estabrook, Colonel C. H. Weygant, Major E. C. Boynton, M. C. Belknap, Joseph Van Cleft, Dr. R. V. K. Montfort, Grant Edgar, William McGrea, John Caldwell, Uriah Traphagen, L. F. Corwin.

Residence, Goshen.—Dr. J. H. Thompson, Rev. Floyd A. Crane, George H. Mills.

Residence, Middletown.—Hon. J. D. Friend, Hon. J. G. Wilkin.

Orleans county.

Residence, Albion.—Edwin R. Reynolds, Daniel W. Frye, U. C. Rogers.

Oswego county.

Residence, Oswego.—Hon. O. J. Harmon, G. C. McWhorter, Hon. J. A. Place, Dr. A. S. Coe, G. Mollison, Mrs. George Goodier, Miss Florence Pettibone, Mrs. C. B. Randell, Edward Lee, Hon. George B. Sloan, Mr. P. C. M. Tride, Mr. P. O. Wright, Rev. David Tully, D. D., Edward Monen, Rev. H. H. Stebbins, Rev. W. S. Parker.

Residence, Pulaski.—N. B. Smith.

Residence, Fulton.—D. W. Gardner.

Otsego county.

Residence, Cooperstown.—Elihu Phinney, Dr. H. Lathrop, S. M. Shaw, G. F. Keese, Miss Susan Cooper, Dr. W. T. Bassett.

Putnam county.

Residence, Carmel.—J. D. Little, James R. Weeks, Addison Ely, M. D.

Queens county.

Residence, Great Neck.—John Keese, W. H. Onderdonk,

Residence, Hempstead.—Rev. William H. Moore, D. D., Ebenezer Kellum, Valentine Clowes.

Residence, Westbury.—Benjamin D. Hicks, Mrs. James Willetta.

Residence, Glen Cove.—Edwin A. Hopkins.

Residence Astoria.—Rev. Washington Rodman, Miss E. H. Rodman, Dr. J. D. Trask.

Rensselaer county.

To be appointed under new rules.

Richmond county.

Residence, New Brighton.—A. B. Brandman, John H. Pool, R. B. Whittmore, Oswald N. Cammann, J. H. Scribner, Ed. M. Muller, Miss H. Ilner, Mrs. J. K. West, Mrs. Wm. Davidge.

Residence, West New Brighton.—Rev. Pascal P. Harrower, L. F. Whittin, F. O. Boyd.

Residence, Richmond.—T. W. Fitzgerald, Captain A. G. Hall, Miss Louise Moore.

Residence, Clifton.—David Marsh, Miss Ripley.

Residence, Grimes Hill, Tompkinsville.—A. D. Irving.

Rockland county.

Residence, Stony Point.—Dr. William Govan.

Residence, Haverstraw.—Alonzo Wheeler.

Residence, Nyack.—Seth B. Cole.

Residence, Tomkins Cove.—Walter T. Searing, Mrs. Laura Wood.

Saratoga county.

To be appointed.

Seneca county.

Residence, Waterloo.—Hon. S. G. Hadley, Dr. S. R. Wells, Solomon Carman.

Residence, Ovid.—Hon. George Franklin, Dr. John B. Chapin.

Residence, Seneca Falls.—Charles A. Hawley.

Schoharie county.

Residence, Schoharie.—Thomas W. Zeh, Jr.

Schenectady county.

Residence, Schenectady.—Dr. B. A. Mynderse, Hon. W. T. L. Sanders, S. B. Howe, Professor C. E. Kingsbury, Rev. Dr. Alexander.

Schuyler county.

Residence, Watkins.—Frederick Davis, Rev. George Knapp, B. W. Woodward.

St. Lawrence county.

Residence, Canton.—George Robinson, Rev. James Gardner, H. H. Judd, Dr. J. C. Preston, G. B. Manley, Rev. E. E. Brown, Rev. George E. Forbes.

Residence, Ogdensburg.—Dr. B. F. Sherman, Professor R. G. Pettibone, Daniel Magone, Rev. L. Merrill Miller, Rev. J. Bastow, W. L. Proctor, J. W. Wilson, Gates Curtis.

Residence, Potsdam.—E. W. Foster, L. E. Wadleigh, Rev. George Harkness, Rev. C. E. Bascom, O. E. Bonney, John A. Vance.

Steuben county.

Residence, Bath.—Z. L. Parker.

Residence, Corning.—F. A. Williams, B. F. Smith.

Suffolk county.

Residence, Riverhead.—Dr. R. H. Benjamin, Thomas Cook, G. O. Wells.

Sullivan county.

Residence, Monticello.—James Strong.

Residence, Grahamville.—Dr. J. M. La Moree.

Tioga county.

Residence, Owego.—Hon. William Smyth, A. Abel, V. N. Russell, G. B. Goodrich, A. Coburn, H. D. Pinney.

Tompkins county.

Residence, Ithaca.—Professor Ziba H. Potter, Professor James Law, Professor William D. Wilson, Marcus Lyon, Orange P. Hyde.

Ulster county.

Residence, Kingston.—Hon. James G. Lindsley, Mrs. Mary J. W. Reynolds, F. W. Westbrook, S. D. Hood, Rev. L. T. Watson, Augustus W. Reynolds.

Residence, New Paltz.—C. W. Deyo.

Residence, Saugerties.—W. R. Sheffield.

Residence, Rosendale.—Rev. John Gleason.

Warren county.

Residence, Lake George.—Samuel R. Archibald, Francis G. Crosby, Elias S. Harris, Dr W. R. Adamson.

Washington county.

Residence, Salem.—James Blashford, C. R. Hawley.

Wayne county.

Residence, Lyons.—John L. Cole, William Van Master, Charles Ennis.

Residence, Palmyra.—Isaac C. Bronson, Dr. Samuel Ingraham, A. S. Niles, Mrs. Horace Eaton, George G. Jessup.

Residence, Arcadia.—Rev. Park Burgess.

Residence, Walworth.—Hon. Lucien T. Youmans.

Westchester county.

Residence, White Plains.—Dr. H. E. Schmid, Mrs. J. O. Dyckman, M. Prudhomme, Rev. F. V. Van Kleeck.

Residence, Sing Sing.—Dr. G. J. Fisher, Mrs. Catherine E. Van Cortland, L. G. Bostwick, S. G. Howe, Miss E. Roe, Rev. N. T. Everts.

Wyoming county.

Residence, Warsaw.—Hon Augustus Frank, Rev. L. E. Nassau.

Yates county.

Residence, Penn Yan.—Joseph F. Crosby, William F. Van Tuij, D. A. Ogden.

REPORT OF THE TREASURER

TO THE

Prison Association of New York for the Year Ending
October 31, 1892.

Dr.

Donations.....	\$4,322 50
New York State Reformatory	600 00
Rents.....	587 00
Board of estimate and apportionment.....	300 00
Balance in Mechanics' National Bank October 31, 1891.....	149 33
	<hr/>
	\$5,958 83
	<hr/>

Cr.

Expense of agency in New York city for discharged convicts and persons under arrest.....	\$2,656 91
Expenses of State organization, prison and jail inspection and county work [including \$758.33 of arrears of 1891]	2,323 61
Interest on \$6,500 mortgage on No. 135 East Fifteenth street.....	325 00
Taxes and water rents on No. 135 East Fifteenth street	210 90
House expenses	408 11
Balance in Mechanics' National Bank October 31, 1892.....	34 30
	<hr/>
	\$5,958 83
	<hr/>

Amounts owing by the association.

For State organization, prison and jail inspection, etc., \$1,533 33

Amounts due to the association.

From Burnham Industrial Farm..... \$960 00
From others, for rent 18 00

CORNELIUS B. GOLD,
Treasurer.

We certify that we have examined the accounts and vouchers
of Cornelius B. Gold, treasurer, and find them correct.

LISPENARD STEWART,

FRED G. LEE,

Auditing Committee.

NEW YORK, *December 21, 1892.*

DONATIONS.

"A. B.," Warwick, N. Y.....	\$1 00
Mrs. Helen L. Deas	5 00
Miss M. H. Dehon	10 00
Benwick B. Knox	5 00
First Presbyterian church, Greenport, N. Y.....	12 50
Mrs. M. Mitchell	5 00
Anonymous	10 00
F. A. Ferris	10 00
John L. Dudley	10 00
Murray fund	25 00
"J. B. C.,"*in memoriam	10 00
Anna C. Alden	10 00
Alice Keteltas	15 00
Mrs. D. B. Van Emburgh	5 00
Rev. D. Stuart Dodge.....	10 00
J. R. Planten	10 00
Mrs. W. E. Dodge	10 00
H. B. Renwick	100 00
Charles D. Smith, M. D	10 00
Henry Hun	5 00
Thomas H. Hubbard	20 00
Wm. Alexander Smith	10 00
Anna M. Cox	5 00
Rev. Morgan Dix, D. D.....	10 00
James J. Goodwin	25 00
John Sinclair	10 00
John Taylor Johnston	100 00
M. D. Delafield	5 00
Edward Baldwin	5 00
Charles W. Ogden	10 00
Mrs. J. W. Minturn	10 00

Mrs. J. D. Ogden	\$10 00
H. F. Spaulding	25 00
Archer V. Pancoast	10 00
John J. McCook	10 00
Mrs. George A. Crocker	5 00
C. B. Jennings	10 00
Mrs. George H. Warren	10 00
William Colgate	25 00
R. Fulton Cutting	50 00
John S. Kennedy	100 00
Byam K. Stevens	10 00
William D. Barbour	25 00
George N. Curtis	50 00
Mrs. A. E. Price	5 00
Cornelius B. Gold	100 00
M. H. Arnot	10 00
Oscar Craig	10 00
Edward H. Noice	2 00
"In His name"	10 00
Dean Sage	100 00
D. H. McAlpin	25 00
William R. Stewart	10 00
Mrs. P. A. Porter	25 00
"G. E. M."	25 00
Adrian Iselin	100 00
Mrs. Henry V. Parsell	10 00
Francis Lynde Stetson	10 00
Mrs. William T. Shedd	10 00
Sarah J. Gray	5 00
H. K. McHarg	100 00
Z. R. Brockway	10 00
William P. Letchworth	25 00
John E. Parsons	10 00
Mrs. W. Wheeler Smith	10 00
Henry Day	10 00
Harriette S. Barnes	5 00
Mrs. Frederick Billings	25 00

Helen C. Brush	\$10 00
John S. McLean.....	10 00
H. G. Marquand.....	10 00
Victor Gerard	10 00
Rev. S. M. Jackson.....	5 00
John J. McCook.....	25 00
Mrs. Chauncey M. Depew.....	10 00
Rev. Wendell Prime, D. D.....	50 00
Mrs. Joseph R. Skidmore.....	25 00
"Cash," sympathizer	2 00
Mrs. Ann Miller.....	15 00
Mrs. Frederick Goodridge.....	10 00
Mrs. C. Cahn.....	5 00
Abraham S. Peet.....	5 00
William Hall's Sons.....	10 00
John T. Lockman.....	10 00
Gen. J. Watts de Peyster.....	10 00
H. S. Schwab.....	10 00
Andrew C. Zabriskie.....	20 00
Mrs. Walter Geer.....	5 00
G. G. Williams.....	20 00
C. H. Contoit.....	10 00
William Schaus	5 00
R. H. L. Townsend.....	10 00
William D. Ellis.....	5 00
Cleveland H. Dodge.....	25 00
Mrs. Jonathan Sturges.....	10 00
Woodbury G. Langdon.....	10 00
Anson Phelps Stokes.....	25 00
M. Bayard Brown.....	250 00
Mrs. D. B. Whitlock.....	5 00
Cornelius Vanderbilt	100 00
Gerard Beekman	10 00
Mrs. Emily Howland.....	5 00
Mrs. F. Spencer Witherbee	15 00
J. Davenport	5 00

Rev. John C. Bliss.....	\$10 00
Robert Jaffray	10 00
"Cash"	25 00
Henry Talmadge	5 00
L. D. White	10 00
Ellen Collins	10 00
Thomas G. Shearman	10 00
Thomas H. Bauchle	10 00
Rev. N. W. Conkling	5 00
Frederick Uhlmann	10 00
Mrs. Julia Merritt	25 00
Mrs. Abraham Van Nest	25 00
W. P. Prentice	5 00
E. P. Dutton	10 00
Mrs. H. C. Stimson	5 00
John Crosby Brown	10 00
Edmund S. F. Arnold, M. D.....	5 00
Rev. Wendell Prime, D. D.....	50 00
James Cassidy	3 00
Frederick T. Hill	100 00
Samuel Auchmuty Tucker	50 00
G. G. Haven	20 00
Allen Tucker	50 00
W. F. Chrystie	25 00
William E. Dodge	25 00
Mrs. Frederic Cromwell	10 00
Mrs. George H. Morgan	10 00
Mrs. J. Blair Scribner	25 00
Rev. W. S. Rainsford, D. D.....	10 00
William Einstein	10 00
Middleton & Co	10 00
Edwin Einstein	25 00
Dodge & Olcott	10 00
"In His name"	10 00
William Schaus	5 00
Mrs. Joseph Milbank	50 00

Elbridge T. Gerry.....	\$50 00
Peter Doelger	10 00
Robert Graham Dun	25 00
Mrs. Henry G. de Forest	10 00
Dudley Jardine	25 00
Robert S. Holt	10 00
N. Amerman	10 00
Robert Halsted	10 00
Mrs. George Forrest Butterworth	5 00
C. D. Wood	100 00
Catharine B. Campbell	10 00
John S. Huyler	10 00
Rev. E. A. Hoffman, D. D	10 00
J. N. A. Griswold	10 00
H. C. Howells	10 00
Charles J. Coulter	10 00
James M. Constable	10 00
William Bispham	10 00
Rev. Arthur Brooks, D. D.....	10 00
Seth Low	10 00
Richmond county prison visiting committee.....	5 00
Serena Rhinelanders	200 00
J. McE. Wetmore, M. D.....	10 00
T. Gaillard Thomas, M. D.....	10 00
William T. Lusk, M. D.....	10 00
A. A. Low	10 00
Bleecker Van Wagenen	25 00
William Wicke	10 00
James R. Pitcher	10 00
Mrs. M. B. Wheeler.....	10 00
William Openhym & Sons	10 00
Mrs. J. Ruppert	10 00
Mrs. S. D. Whaley.....	5 00
Daniel D. Lord	10 00
John T. Willets.....	10 00
John Murray Mitchell	10 00

Mrs. E. H. Van Ingen.....	\$10 00
Mrs. Elizabeth V. S. Winthrop	25 00
Charles C. Beaman	10 00
William A. Cauldwell	10 00
Robert R. Crosby	10 00
John B. Whiting	10 00
Lewis S. Wolff	25 00
Henry J. Davison, Jr.	10 00
Robert Harris	10 00
Laura P. Halsted	10 00
Morris K. Jesup.....	50 00
Albert Mathews	10 00
Mrs. John E. Parsons	10 00
Mrs. W. H. Macy	5 00
J. A. Roosevelt.....	20 00
G. A. Sabine, M. D.....	10 00
R. W. de Forest	10 00
Dean Sage	20 00
Paul Tuckerman	25 00
Speyer & Co.....	10 00
James Wilde, Jr., & Co.....	10 00
Mrs. John Wagner	10 00
Mrs. G. D. H. Gillespie	10 00
Mrs. John Wolfe.....	10 00
Mrs. Isaac Newton Seligman	10 00
James Renwick	20 00
Harry Keteltas	10 00
Vermilye & Co.....	10 00
Mrs. Thomas C. Sloane.....	10 00
Lewis S. Wolff	10 00
Robert L. Maillard	10 00
William F. King	10 00
Mrs. Nicholas Fish	10 00
Mrs. Alexander Miller	10 00
Mrs. Robert Hoe.....	10 00
Mrs. J. Pierpont Morgan.....	10 00

J. Hooker Hamersley	\$25 00
Henry Dexter	10 00
Samuel D. Babcock	10 00
"G. M. S."	10 00
E. C. Bogert	50 00
"Anon.," Glens Falls, N. Y.	1 00
J. Montgomery Hare	5 00
Edwin T. Hiscox	4 00
L. T. West	1 00
Charlton T. Lewis	25 00
Lawrence Turnure	10 00
Edmund L. Baylis	1 00
J. Stickney	10 00
C. H. Coster	20 00
Arnold, Constable & Co.	25 00

\$4,322 50

1892.

OTHER DONATIONS THAN MONEY.

Mrs. Whalen	Reading matter.
Mrs. F. A. Wilcox	Reading matter.
Mrs. Blatchfold	Reading matter.
Dr. E. C. Latimer	Reading matter.
Mrs. G. Collamore	Clothing and reading matter.
Mrs. S. M	Clothing and reading matter.
Benj. O. Chisholm	Clothing and reading matter.
Mr. Jones	Clothing.
Mrs. Stonehill	Reading matter.
Mrs. Converse	Reading matter.
E. D. Veiller	Reading matter.
Mrs. Appleton	Reading matter.
W. H. White	Reading matter.
Mrs. E. D. Grant	Clothing and reading matter.
F. R. Lawrence	Clothing.
John Myers	Clothing.

Dr. Halstead	Clothing.
Mrs. H. H. Nathan	Clothing and reading matter.
Mr. Duryee	Clothing and reading matter.
W. F. Martin.	Clothing and reading matter.
Anon.	Reading matter.
Mrs. Stryker	Clothing.
Louis B. McCagg	Clothing.
Dr. Andrew Smith	Clothing.
Mrs. S. E. Simonds	Reading matter.
Mrs. Nicholas Fish	Reading matter.
Hospital B. and N. Society	Reading matter.
F. M. Peyser	Clothing.
S. S. Stafford	Stationery.
R. O. Doremus	Clothing and reading matter.
Mrs. Harmon	Clothing.
E. B. Clapp	Clothing.
Mrs. Lambert	Reading matter.
Mrs. E. Wilson	Reading matter.
J. H. Chadwick	Reading matter.
Y. E. Reynolds	Reading matter.
Mrs. Beverly Robinson	Reading matter.
Mrs. E. F. Davison	Reading matter.
Mrs. L. M. Slocum	Reading matter.
Mrs. Geo. Clark	Clothing and reading matter.
I. N. Seligman	Reading matter.
Mrs. Noyes	Clothing.
Dr. J. Lewis Smith	Clothing.
Mrs. J. C. Kemp	Clothing.
Mrs. M. Crane	Clothing and reading matter.
Mrs. J. B. Stevens	Reading matter.
Mrs. R. E. Dey	Reading matter.
Mrs. Julia Wolff	Reading matter.
Mrs. A. Miller	Clothing.
Mrs. C. W. Watson	Clothing and reading matter.
Thos. Blogden	Reading matter.
Mary Reed	Reading matter.
Mrs. Hall	Reading matter.
Mrs. E. E. Williams	Clothing and reading matter.

C. J. Gillies	Clothing.
L. H. Martin	Reading matter.
Hospital B. and N. Society	Reading matter.
D. H. Schult	Reading matter.
H. M. Braem	Reading matter.
W. J. Mulligan	Reading matter.
Miss Hallock	Clothing and reading matter.
E. Myers	Reading matter.
E. N. Bristol	Reading matter.
Mrs. M. Dawson	Clothing and reading matter.
Miss Hunter	Reading matter.
Mrs. G. H. Seeley	Reading matter.
Mrs. P. H. Butler	Reading matter.
Mrs. J. L. Dudley	Reading matter.
Mrs. Wm. Dodman	Reading matter.
Mrs. Lancaster	Reading matter.
Dr. G. Q. Colton	Reading matter.
Mrs. S. P. Howard	Reading matter.
Amity Baptist Church	Reading matter.
Mrs. Zabriskie	Clothing and reading matter.
Miss Martin Woodbridge	Reading matter.
W. Schaus	Clothing.
Miss E. C. Fessenden	Clothing.
Mrs. Waldron	Reading matter.
Mrs. H. Reed	Reading matter.
Hospital B. & N. Society	Reading matter.
Mrs. White	Clothing.
Mrs. D. H. Rowland	Reading matter.
Miss J. Blumenthall	Reading matter.
Mrs. N. S. Shiverick	Reading matter.
Mrs. E. D. Grant	Clothing and reading matter.
Mrs. C. M. Wood	Clothing and reading matter.
Mrs. Allen	Reading matter.
Mrs. McClellan	Clothing.
C. W. Colvil	Reading matter.
Church Charity Foundation	Reading matter.
C. A. Lutz	Clothing.
Mrs. L. J. Werner	Reading matter.

Mrs. H. K. Brewer.....	Reading matter.
Mrs. D. Loomis.....	Clothing.
Mrs. J. M. Masterton.....	Clothing and reading matter.
Maria Louisa Labah.....	Clothing.
Mrs. S. E. Naylor.....	Clothing and reading matter.
Mrs. J. H. Bird.....	Reading matter.
Mrs. F. Haipin.....	Clothing.
Mrs. C. H. Bachem.....	Reading matter.
Mrs. J. F. Sutton.....	Reading matter.
Mr. Graydon.....	Reading matter.
Mrs. Valentine.....	Clothing and reading matter.
Mrs. M. E. Bowditch.....	Clothing.
Mrs. Hadden.....	Clothing.
W. H. Stiner.....	Clothing.
Mrs. Ogden.....	Clothing and reading matter.
Mrs. A. Stewart.....	Reading matter.
John Cochrane.....	Clothing and reading matter.
F. T. Colling.....	Clothing and reading matter.
Mrs. A. E. Naylor.....	Reading matter.
Geo. W. Girvin.....	Reading matter.
Anon.....	Reading matter.
Dr. H. C. Bolton.....	Clothing.
A. M. Brooks.....	Clothing.
Geo. H. Morgan.....	Clothing.
Mrs. Dillon.....	Clothing and reading matter.
Mrs. S. W. Wright.....	Reading matter.
Mrs. J. H. Jaquelin.....	Reading matter.
N. Amermann.....	Clothing.
Mrs. B. Drake.....	Reading matter.
Dr. J. C. Rising.....	Reading matter.
R. Halstead.....	Clothing.
Horace Jones.....	Clothing.
Hubert Howson.....	Clothing.
Mrs. Naylor.....	Reading matter.
Mrs. Van Winckle.....	Reading matter.
Mrs. R. M. Field.....	Reading matter.
C. J. Gillis.....	Clothing.
Mrs. E. Smith.....	Clothing.

Dr. A. H. Smith	Clothing.
Dr. F. J. Nott	Reading matter.
Mrs. T. L. Smith	Clothing and reading matter.
Mrs. J. M. Masterton	Clothing.
Mrs. W. Field	Reading matter.
Mrs. E. D. Cordes	Reading matter.
A. C. Zabriskie	Clothing.
Mrs. P. Merrill	Clothing.
Richard S. Ely	Clothing.
Mrs. W. G. T. Shedd	Clothing.
Gen. John Cochrane	Clothing.
J. H. Emerson	Clothing.
W. H. Brown	Clothing.
H. M. Braem	Reading matter.
Mrs. F. R. Lawrence	Clothing.
Mrs. Huyler	Reading matter.
Mrs. J. T. Lockman	Clothing.
Gen. Cochrane	Clothing.
E. D. Hewitt	Clothing.
Mrs. M. Julien	Clothing.
Geo. C. Carrington	Clothing.
J. C. O'Connor	Clothing.
Estella Willis	Reading matter.
Mrs. Huyler	Reading matter.
Robert Halstead	Clothing.
L. Koehler	Reading matter.
Mrs. Hannah Hendricks	Reading matter.
M. Isidor	Reading matter.
Mrs. Allen	Reading matter and clothing.
Mrs. Chas. Bremer	Clothing and reading matter.
Thomas R. Ash	Reading matter.
R. A. Yellowlee	Clothing.
Mrs. E. D. Hicks	Reading matter.
D. C. Weeks	Reading matter.
C. W. Loomis	Clothing.
Mrs. Ahearn	Clothing.
Mrs. Kebele	Reading matter.
Mrs. S. M. Van Amringe	Reading matter.

Mrs. Geo. A. Marrison	Clothing.
F Ramsdell	Clothing.
A. C. Zabriskie	Clothing.
Miss C. Silcock	Reading matter.
Mrs. Naylor	Reading matter.
Miss Kahnweiler	Clothing and reading matter.
Mrs. J. B. Townsend	Reading matter.
Henry Lindenmeyr & Sons	Wrapping paper.
F. B. Elliott	Clothing.
J. W. Sewall	Reading matter.
Mrs. L. H. Cobb	Reading matter.
Miles	Clothing.
Mrs. Naylor	Reading matter.
W. H. Brown	Clothing.
Gerald M. Swift	Clothing.
Mrs. Otto Meyer	Reading matter.
W. Wilson	Reading matter.
Nonpareil Club	Reading matter.
Mr. Brown	Clothing.
J. M. Shedd	Clothing.
Mrs. Jas. Hiernsheim	Reading matter.
Mrs. Monroe	Clothing.
Miss G. Kendall	Reading matter.
Miss F. H. Phinney	Reading matter.
Mrs. C. W. McMachen	Clothing.
H. Waterman	Reading matter.
Mrs. L. H. Cobb	Reading matter.
A. C. Zabriskie	Clothing.
Rev. Geo. S. Payson	Clothing.
H. G. Marquand	Clothing.
S. E. Gardner	Reading matter.
Mrs. F. W. Olds	Clothing.
Gen. R. C. Hawkins	Clothing.
Hospital B. and N. Society	Reading matter.
Mrs. W. Stanton	Clothing and reading matter.
Mrs. H. J. Baack	Reading matter.
Mrs. Odell	Clothing and reading matter.
Mrs. Geo. E. Baker	Reading matter.

Mrs. Wendt	Reading matter.
Mrs. J. H. Jaquelin	Clothing.
Mrs. M. F. Bolles	Clothing.
Mrs. E. L. Flanders	Reading matter.
Mrs. H. H. Nathan	Clothing and reading matter.
A. Vanholland	Reading matter.
Mrs. E. P. Jones	Reading matter.
Mrs. Albert Lilienthall	Reading matter.
Horace Jones	Clothing.
B. O. Chisolm	Clothing.
Mrs. Jas. D. Hague	Clothing.
J. H. Emerson	Clothing.

Charter of the Prison Association of New York.

AN ACT to incorporate the Prison Association of New York.

PASSED May 9, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of \$10,000, nor be applied to any other purpose than those for which the corporation is formed.


§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.

2. The improvement of prison discipline, and the government of prisons, whether for cities, counties or States.



3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline, and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty

dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society, at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in

said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may

enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the next judge of the county in which the prison to be examined shall be sitting, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be completed.

STATE OF NEW YORK:

IN SENATE, JAN. 1, 1849.

The bill having been read the third time, and yeas thirty, of all the members elected to the Senate being in favor thereof.

Resolved, That the bill do pass.

IN SENATE, JAN. 1, 1849.

A. J. REED

STATE OF NEW YORK:

IN SENATE, JAN. 1, 1849.

The bill having been read the third time, and yeas thirty, of all the members elected to the Assembly being in favor thereof.

Resolved, That the bill do pass.

IN SENATE, JAN. 1, 1849.

A. J. REED

Approved this 1st day of January, 1849.

W. L. G. B. B.

STATE OF NEW YORK,)
SECRETARY'S OFFICE. }

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such report as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

* See section 20 in last revision.

By-laws of the Prison Association of New York.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for him.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, takin

care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, *ex officio*, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

REPORT OF EXECUTIVE COMMITTEE.

In offering to the Legislature the forty-eighth annual report of the Prison Association of New York, attention is once more called to the fact of a very large body of idle prisoners in our county jails, supported at the public expense, and under such treatment as is not likely to lead to their reformation or to result in any possible advantage to themselves or the public at large.

With the exception of New York and Kings county, a stipulated sum per week is paid by the county for the board of prisoners. The average of this is three dollars and forty-five cents in the fifty-eight counties, a sum larger than is paid by the average mechanic for board alone, and in almost every one of the counties the sheriff has light, heat and attendance furnished, and has no outgo for rent. There has been an average of seventy-four persons in each jail during the year, and the total cost for sustenance alone for this great number of prisoners reaches very nearly \$800,000, to which must be added the jailor's fees for "locking and unlocking" the enormous amount represented in the plant cost of arrests, court fees, etc.

In all there have been arrested and taken to the county jails during the year past 27,627 persons, and a permanent population of more than 4,000 withdrawn from labor, in demoralizing idleness, with every possible facility for criminal association and contamination. And society is no wise the better, but, on the whole, decidedly the worse. It is pretty generally agreed by penologists that beyond the mere temporary protection afforded by the isolation of these prisoners—and very many of them would be quite harmless if at large—there is no deterrent effect in short sentences in the county jails, at enormous expense, and that, all things considered, society would be no worse off if there was a general jail delivery, with the exception of such prisoners

as are awaiting trial, or witnesses whom it was necessary to detain. The burden of the county jails is a very great one, and it is amazing that the public permits the perpetuation of a system which belongs to a past age, which is an anomaly in our scheme of penitentiary management, and which England and other progressive nations have abolished. It is, however, explainable by the fact that the jails, like the prisons, are not a part of the penal machinery, but a part of the political machinery. The county jail is reckoned as being worth a certain sum of money to the sheriff, in the payments that he gets in the board of prisoners and we have the spectacle of one of the highest of the county officers in every county keeping a boarding-house for drunkards and vagrants and thieves, and getting his pay for doing so. No matter how respectable he may be, every sheriff, upon accepting the offices, becomes a boarding-house keeper for the lowest class of boarders in the community. The office loses in dignity, and in so far as the sheriffs are men of high character, they must frequently be placed in situations where their self-respect is wounded.

There is no systematic labor in our jails, with the exception of stone breaking in Steuben, Queens and Niagara counties.

In twenty-four counties there is no adequate separation of young and old offenders, and in some counties the separation of the sexes is by no means adequate.

The jail buildings are old and escapes have been frequent: in one case it has cost \$2,000 to retake escaped prisoners.

Hygienic conditions are unfavorable, and the most ordinary sanitary precautions are disregarded.

The Prison Association urges upon the Legislature the necessity of a new scheme for caring for such prisoners as are now committed to the county jails, and that such provision be made that every person convicted of any crime in this State shall be made to earn his sustenance from the first day of his conviction.

STATISTICAL TABLE No. 1.

COUNTY.	Total number of prisoners confined in county jail during the year 1892.	Highest number confined at any one time.	Lowest number confined at any one time.	What labor is in county jail?	Is the separation of old and young offenders adequate?	Is the separation of males and females adequate?	What changes have been made in the structure during the past year?	Is a jailkeeper steadily employed?	How long has he been there?
Albany	1,377	90	17	None	Yes	Yes	None	Yes	1 year.
Allegany	49	16	3		No.				"
Broomfield	*1,400	41	8						"
Cattaraugus	305	40	10		Yes			No.	18 days.
Chautauque	370	41	2					Yes	8 months.
Chemung	*1,200	52	13						1 year.
Shenango	45	...	...						"
Clinton	389	34	7				Steam heat.		"
Columbia	320	22	4				None	No.	"
Portland	205	16	7						"
Potomac	72	9	1		No.				"
Potomac	690	43	8				Rebuilt and better ventilated.	Yes	1 year.
Putnam	2,310	108	29		Yes		None		"
Richmond	62	15	3		No.				"
Saratoga	*510	27	8		Yes		A new jail.		"
Schenectady	206	16	1		Yes		Two new iron cells.		1 month.
Schoharie	320	50	2		No.		None		2 years.
Schoharie	165	10	2						"
Schoharie	3	3	1		Yes				2 months.
Schoharie	185	31	4		No.				1 year.
Schoharie	416	28	4		Yes				"
Schoharie	608	312	...		Yes				"
Schoharie	196	13	1						"
Schoharie	96	13	3		No.				"
Schoharie	252	42	1		Yes				"
Schoharie	*550	80	6		No.				"
Schoharie	*60	...	20		Yes				"
Schoharie	*1,500	100	30		No.	No.	New jail.		11
Schoharie	716	100	23	Stonebreaking	Yes	Yes	None		2 years.
Schoharie	304	70	23	None	Yes	Yes	None		1 year.
Schoharie	727	54	13	Brooms and bolls.	No.	No.			"
Schoharie	1,350	*800	...						"

* Estimated.

at Ludlow street jail.

STATISTICAL TABLE No. 1—(Continued).

COUNTY.	Total number of prisoners confined in county jail during the year 1892.	Highest number confined at any one time.	Lowest number confined at any one time.	What labor is in county jail?	Is the separation of old and young offenders adequate?	Is the separation of males and females adequate?	What changes have been made in the structure during the past year?	Is a jailkeeper steadily employed?	How long has he been there?
Ontario.....	347	97	6	None	Yes...	Yes...	None	Yes...	9 months.
Orange.....	400	52	18	"	No...	"	"	"	4 years.
Orleans.....	240	14	1	"	No...	"	"	"	1 month.
Oswego.....	365	32	8	"	Yes...	"	"	"	"
Chenango.....	133	32	1	"	No...	No...	Enlarged windows and cells; new steel cells.	"	2 years.
Putnam.....	290	40	1	Stonebreaking	Yes...	Yes...	None	"	"
Queens.....	1,228	125	90	"	"	"	None	"	"
Rensselaer.....	2,046	87	46	None	No...	No...	Sanitary improvements; separate for child'n.	"	20 "
Richmond.....	431	64	15	"	Yes...	Yes...	None for twenty years	"	1 "
Rockland.....	325	45	6	"	"	"	New door	"	1 "
Saratoga.....	483	50	18	"	Yes...	"	None	No...	"
Schenectady.....	37	27	1	"	"	"	Bath-room added.	"	"
Schoharie.....	37	31	1	"	No...	"	Water supply; sanitary improvements.	Yes...	2 years.
Schuyler.....	134	12	1	"	Yes...	"	None	"	"
St. Lawrence.....	274	47	16	"	"	"	"	"	1 year.
Stenben.....	570	60	20	Stonebreaking	No...	"	"	"	4 "
Suffolk.....	591	40	8	None	"	"	"	"	6 months.
Sullivan.....	100	28	1	"	Yes...	"	"	No...	1 year.
Tioga.....	253	28	2	"	"	"	"	Yes...	5 years.
Tompkins.....	190	15	3	"	"	"	"	"	"
Ulster.....	50	11	12	"	No...	"	New bath-room	"	"
Warren.....	64	11	1	"	Yes...	"	Boys' department, twenty new cells	"	"
Washington.....	220	40	5	"	"	"	None	"	11 "
Wayne.....	130	23	5	"	"	"	New cement floor	"	5 "
Westchester.....	*2,000	225	50	"	No...	No...	None	Yes...	1 year.
Wyoming.....	113	14	3	"	Yes...	Yes...	"	"	"
Yates.....	151	11	1	"	"	"	"	"	"

* Estimated.

STATISTICAL TABLE No. 1 — (Continued).

COUNTY.	What does it cost your county per week for the care of prisoners in jail?	Does this include lighting and heating?	How many escapes from jail last year?	Expense of retaking escaped prisoners.	Name of sheriff.	Name of jailkeeper.	What changes do you suggest in jail?
Albany	\$1 75	No.	None.	.....	Isaac B. Cross	Thomas J. Gilody	Entire new structure.
Allegany	3 25	"	"	.....	N. B. Sherman	N. B. Sherman	None except to build a new jail.
Broome	3 50	"	One.	\$55 00	Frederick P. Ockerman	Frederick P. Ockerman	New jail occupied January 1, 1903.
Cattaraugus	3 75	"	None.	.....	William B. Hughes	William B. Hughes	An entire new structure; the present one was built 18 years ago. Every grand jury for past 10 years have recommended new jail.
Cayuga	8 00	"	"	10 00	C. J. Wethey	J. Frank	New jail.
Chautauque	3 00	"	"	.....	Charles J. Jenner	Charles J. Jenner	New jail.
Chemung	3 25	"	None.	.....	Jere Smalley	George Smith	New story put on jail.
Chenango	4 50	"	"	.....	Edward A. Lally	Charles C. Adams	New jail.
Clinton	4 20	"	"	.....	J. B. White	Joseph F. Wasure	New jail.
Columbia	3 00	Yes.	"	.....	P. W. Rockefeller	Norman Rockefeller	New jail.
Cortland	3 05	No.	"	.....	John Miller	John Miller	None.
Delaware	3 50	"	"	.....	T. E. Elliott	T. E. Elliott	None.
Dutchess	3 50	Yes.	"	.....	W. H. Bartlett	John Byrnes	New story put on jail.
Dutchess	3 50	No.	"	.....	August Beck	James L. Rodgers	New jail.
Dutchess	4 00	"	"	.....	A. A. Boynton	A. Laque	New jail.
Franklin	3 50	"	"	.....	Fred. P. Wilson	George W. Ketcham	New jail.
Fulton	5 00	"	"	.....	Charles Palmer	Charles Palmer	New jail.
Genesee	3 50	"	"	.....	James F. Lilley	John B. Neasmith	New jail.
Hamilton	4 00	"	"	.....	Frank S. Decker	Hugh Call	New cells, bath-room, etc.
Herkimer	7 00	"	"	.....	George H. Tripp	S. Wilson	Jail should be enlarged.
Herkimer	3 35	"	"	.....	Levi Washburn	P. J. Doyle	New jail.
Herkimer	3 25	"	"	.....	John Courtney	John P. Murphy	New jail.
Herkimer	4 00	Yes.	None.	.....	Frank J. McNally	Charles Gallagher	Enlargement and running water put in.
Livingston	4 20	"	None.	.....	Charles E. Remick	John J. Carell	New locks and steel bars.
Madison	2 75	No.	4	None.	Thomas Liddle	James Schermerhorn	New locks and steel bars.
Madison	3 00	"	"	.....	Burton H. Davy	John J. Gorman	New locks and steel bars.
Madison	2 75	"	"	.....	John J. Gorman	Thomas Dunlap	New locks and steel bars.
Madison	2 75	Yes.	1	None.	Nathan D. Ensigen	William D. Powers	New locks and steel bars.

* Estimated.

STATISTICAL TABLE No. 1 — (Concluded).

COUNTY.	What does it cost your county per week for the care of prisoners in jail?	Does this include lighting and heating?	How many escapes from jail last year?	Expense of retaking escaped prisoners.	Name of sheriff.	Name of jailkeeper.	What changes do you suggest in jail?
Oneida.....	\$2 45	No.	1	None.	John C. Schreiber....	Lewis S. Hanauer....	Prisoners should be made to perform some labor.
Onondaga.....	1 60	Yes.	4	Nothing.	John A. Hoxie.....	Daniel N. Baumgardner....	New wing for females.
Ontario.....	3 25	No.	None.	.....	Avery Ingraham....	New jail.	
Orleans.....	3 25	"	"	.....	J. Harvey Alexander....	Daniel Fullerton....	
Oswego.....	2 75	"	1	\$15 00	John G. Rice.....	F. H. Thurston....	
Otsego.....	3 00	"	"	.....	Amos Allport.....	Roscoe Allport....	
Putnam.....	2 50	"	4	30 00	John A. Ward.....	R. R. Barnett....	Corridor from criminal cells to kitchen, etc.
Queens.....	3 00	"	"	.....	James Norton.....	John McDougall....	A hospital room.
Rensselaer.....	3 00	"	"	.....	H. Herrington.....	John D. Miles....	Separate entrance for women; labor in jail.
Richmond.....	4 00	Yes.	"	.....	John J. Vaughan, Jr....	David Simmons....	Jail should be rebuilt and enlarged.
Rockland.....	3 50	"	"	.....	George Dickey.....	Abram J. Blauvelt....	
Saratoga.....	3 00	No.	2	2,000 00	W. W. Worden.....	W. A. Smith....	
Seneca.....	3 25	"	None.	.....	Charles W. Van Cleeef....	Philip Devo.....	More modern cells.
Schoharie.....	4 00	"	1	10 00	Haden P. Ives.....	John C. Myers....	
Schenectady.....	3 50	"	"	.....	John C. Myers.....	James M. Auble....	
Schoenley.....	3 00	"	"	.....	James M. Auble.....	L. H. Wilson....	
St. Lawrence.....	3 00	"	"	.....	L. H. Wilson.....	George Hollands....	New room for religious services.
Steuben.....	2 50	"	"	.....	George Hollands....	William Rufford....	New jail.
Suffolk.....	3 00	"	2	3 00	A. M. Darling.....	John Beecher....	New jail.
Sullivan.....	3 50	"	"	.....	Harris Beecher.....	Robert Hugman....	Work and plenty of it.
Tioga.....	3 15	Yes.	"	.....	LaRue H. Conklin....	Robert F. Smith....	Steady employment for inmates.
Tompkins.....	3 00	No.	"	.....	J. Warren Tibbitts....	George F. Bryant....	Better ventilation and facilities for proper separation of prisoners.
Ulster.....	3 75	"	2	6 00	William Van Tassel....	.....
Warren.....	4 00	"	"	.....	Edward Reed.....	.....
Washington.....	90	"	"	.....	George Finch.....	C. B. Finch....	
Wayne.....	1 50	"	"	.....	Walter Thornton....	J. Collins....	
Westchester.....	3 00	"	"	.....	John Duffy.....	James Acton....	
Wyoming.....	4 00	"	1	Not retaken.	Edgar A. Day.....	Edgar A. Day....	New jail.
Yates.....	3 25	"	"	.....	William T. Beaumont....	William T. Beaumont....	

Richmond County Jail.

RICHMOND COURT-HOUSE.

Inspected October twenty-one by the corresponding secretary, accompanied by A. T. Ripley, Mrs. West and others of the Richmond county committee.

Sheriff.—Edward M. Miller.

Keeper.—John J. Vaughn, Jr., eleven years' experience.

No changes have been made in the arrangement of the cells since last year, with the exception that in the court-house a room has been fitted up at the request of the association made at the time of the last inspection for the entire separation of young boys and first offenders. Since this room has been made it has been occupied by nine different boys. The jail is in very excellent condition. The prisoners are apparently well fed. There is a small library and a large number of books have been placed in the jail by the Prison Association.

Cohoes Jail.

Inspected September 24, 1892, at 2 p. m., by James C. Wallace.

Sheriff.—Isaac J. Cross; began January 1, 1892.

Jailor.—Neil Morris.

Prisoners, five males, two females; twenty-two cells, 4 x 10 x 10 feet. Upper tier of cells on same floor with the females. Women must go through men's corridor. Women's cells sometimes used for men. Cells for women made of boards and out of repair. Large cracks in board partitions between cells. A female prisoner cooks for all the prisoners in one cell. No bedding in cells; had been recently burned because of vermin; jailor stated new supply would be on hand presently. Cells clean, well lighted and ventilated. Good closets, with traps and drains in each cell. The present administration has greatly improved the condition of the jail and prisoners on testimony of prisoners. No bath. No library. No religious services. No occupation, except for the woman who cooks for the prisoners. Jail appear

to be unsafe. No separation — convicted, unconvicted, witnesses, tramps and boys are all together. There is no proper separation of males and females. No turnkey fee. Records kept according to law. Purchases made through the jailor. Unrestricted visitation of prisoners by friends. No regular dietary. Food — bread and butter bologna sausage and coffee, at 9 a. m. dinner at 4 p. m. beef stew with vegetables in season — cost forty cents per day each. Man engaged to white-wash entire jail once a week. Heated by stove in corridor. Chief of police told inspector that his experience was that nearly all arrests were made on account of intemperance.

Edwards Jail.

Inspected September 21, 1892 at 10 a. m. by James L. Wallace.

Sheriff — Edward Reed, Elkins Falls, January 1, 1892.

Jailor — George F. Bryant.

Nine cells 6 x 6 x 8 feet. Built of stone, iron and wood. On four cells can be used. Cells and corridors have poor ventilation and poorly lighted. Two prisoners, one male and one female. Papers supplied to prisoners. Clothes supplied with linen each cell dirty. New bath tub recently put in. Religious views once a week. No separation of convicted, unconvicted witnesses. Cells no house. Prisoners supplied with food. No regular dietary. No account kept of cost of food. Jailor allowed four dollars per week for each person. Food diet — breakfast, potatoes or beans, bread and coffee. Dinner potatoes, meat and bread. Supper bread and butter and Jailor said the prisoners had all the bread they wanted. Turnkey fee, seventy-five cents. Records kept according to law. Fourths of the prisoners can read and write. No books. Prisoners allowed to purchase articles outside of jail through jailor. Unrestricted visitation of friends, which would benefit the prisoners. The longest time prisoner was in jail for trial twenty-eight weeks. Males and females separate in unsafe quarters.

Troy Jail.

Inspected September 24, 1892, by James C. Wallace.

Sheriff.—Herman Herrington, term began January 1, 1892.

Jailor.—J. D. Miles, term began January 1, 1892.

Present census, fifty-eight; fifty males, eight females.

Thirty-six iron cells 16 x 10 x 8 feet. Safety good. No bad odor. Bedding fairly good. Two double-decked cots in each cell designed for four persons. Beds infested with bugs. Cells clean, but poorly lighted; well ventilated. Ordinary cell bucket with cover used. Chloride of lime used in the cell buckets and drain. Steam heat, electric and gas light. No occupation for prisoners. Religious services every Sunday. No library. Papers given to the prisoners. Dietary.—Breakfast, corned beef, potatoes, bread and coffee, served at 7.30. Dinner at 4 p. m. Tuesday and Saturday, bean soup; other days, mush and molasses. Allowance of bread, five to six ounces each. No proper facilities for washing prisoners' dishes. No separation of young and old offenders. Witnesses separate. Partial separation of convicted and unconvicted. Women's cells on same floor as men's and are obliged to pass through men's corridors. All the female prisoners in one room. Record book not all filled out. Visitors allowed on Wednesdays. Jailor profane and very discourteous to visitors. Some of the employes profane and more or less drunk. In jails like this there is great need of a matron for the women's department.

Schenectady Police Lockup.

Inspected September twentieth by James C. Wallace.

This lock-up is in excellent condition in regard to light, heating, safety, cleanliness, drainage, ventilation and closets.

Glens Falls Lockup.

Inspected September twenty-first at 8 a. m., by James C. Wallace.

Three iron cells, size 10 x 9 x 5 feet. Bedding clean. Heated by stove. Cells dark, damp, and poorly ventilated. Closets and

drainage good. No separation of male prisoners. Screen separates males and females. Cleanliness fairly good. Floor and ceiling and one mattress broken and need repairing. No prisoners at present. Average number two to three per week. Supervisor, D. V. Brown.

Schenectady Jail.

Inspected September 20, 1892 at 3 p. m. by James C. Wallace. Sheriff.—J. C. Myers; term began January 1, 1892.

Jailor.—George Goldfoot.

Present census seventeen. All males.

Number of cells twelve. Size, 6 1-2 x 7 x 7 feet and poorly lighted. Ventilation, drainage and bathing facilities good. Bedding clean. Tin pails for cell buckets. Heated by steam. Safety excellent. Religious services each Sunday. Prisoners supplied with papers. No occupation for prisoners. No separation of young and old, or of convicted and unconvicted and witnesses. One prisoner has waited five months for trial. Turnkey's fee seventy-five cents. Nearly all can read and write. Nearly all had been intemperate. All prisoners together in corridor in daytime. Records in good condition. Prisoners can purchase necessary articles outside with permission of jailor. Unrestricted visitation on week days from friends. No regular dietary. Breakfast, oatmeal and milk, or hash with bread and coffee. Dinner, corned beef and cabbage, or vegetable soup and bread. Sometimes potatoes and meat. Excellent home-made bread used. Portions not weighed, average six to eight ounces. Supper varies according to what is on hand to use. Prisoners look healthy and well fed.

Albany Jail.

Inspected September 20, 1892, at 10 a. m., by James C. Wallace. Sheriff.—Isaac J. Cross; entered office January 1, 1892.

Jailor.—Thomas J. Gilooly.

No material change made in this jail since last inspected. *Present census* seventy-two; males sixty-eight; females four.

Number of cells forty. Size 8 x 5 x 7 feet. Cells in the men's corridor dirty, and decidedly bad odor in them. Bedding old and filthy. The sheriff assured our inspector that new bedding would shortly be provided.

Common tin pails are used for cell buckets. Windows were very dirty, and also the corridors. Closets and urinals in open corridor and not properly cleaned. No facilities for bathing. Main cells heated by two huge coal stoves in corridor; others by hot air.

Young and old prisoners kept separate. No regular employment for the inmates. Religious services each Sunday by different denominations. A good library of books and papers supplied by the Prison Association. The majority of prisoners can read and write. All prisoners together in daytime in main jail. No charge for locking and unlocking. Prisoners can purchase articles outside which are inspected by the officer before being sent in. Unrestricted visitation on Wednesdays, except when prisoner is locked up for bad conduct.

Dietary.—Breakfast and Supper: bread and coffee each day. Ten ounces bread for each meal per man. Dinner: Tuesday, rice, soup and potatoes. Wednesday: Corned beef and beans. Thursday: Barley soup with vegetables. This diet is repeated the three following days in the same order. The average cost is twenty-eight cents per day, which includes expenses of cooking, fuel and service.

Saratoga Lockup.

Inspected September 24, 1892, at 8 a. m., by James C. Wallace.

Present number of inmates two; one male and one female.

Average number of inmates seventy-five per month. For males six iron cells 6 x 9 x 8 feet; for females five wooden cells 6 x 9 x 8 feet.

Heat, light, ventilation, drainage and cleanliness good. Males and females in separate departments. Cost of feeding, twenty-five cents per meal each.

Ballston Jail.

Inspected September 24, 1892, at 10 a. m., by James C. Wallace.

Sheriff.—W. W. Worden; term began January 1, 1892.

Jailor.—N. T. Howland; has been jailor sixteen years.

Twenty-six cells 6 1-2 x 16 x 10 feet; built of brick and iron with wood floor. Two persons in each cell. Two iron-clad cells for desperate cases. Cells clean, light and well ventilated. On a wooden platform built against side of cell eight inches from floor and three feet wide is placed bedding, which can be removed and platform washed and used for seat or table. Bedding in fair condition, with the exception of two mattresses which sheriff ordered to be burned after inspection and jailor ordered to make any changes required by inspector. Steam heat, electric light and good separate bathrooms for males and females. Cells for males and females on same floor, but separated by heavy wooden door. This jail is a comparatively new building completed in 1889; all modern improvements. Much troubled with vermin. Disinfectants for each cell. No library. Papers given to prisoners. Religious services each Sunday. No separation of convicted, unconvicted and witnesses. One prisoner detained over one year for trial. At present two have been held since April and one since May for trial. No regular occupation. Friends allowed to visit prisoners.

Suffolk County, Riverhead.

Inspected April 29, 1892, by the corresponding secretary.

Sheriff—A. M. Dowling.

Keeper—David M. Allen.

Buildings—three built. An open drain in yard under jail windows. The jail part built in 1855. A veritable "Bastille" with dark cells, cells of stone work into which light goes by a cell door not more than two feet high. Dark and badly ventilated. The new part is apparently recent and all parts of the jail very clean. A wash tub and other washing arrangements in one corner enables the prisoners to wash their clothes. Double-decked benches are used for sleeping, and ticks very clean. The walls of the cells are covered with pictures cut from flashy papers and in some cases pictures particularly near the obscene in subject. Concrete floors in kitchen. Meals at 7 o'clock, 12

o'clock and 5.30; seemed to be of good quality and of sufficient quantity. There were ventilators in the corridors of the new part going to the roof, but prison smell very perceptible. In one room were found three boys, 14, 13 and 19 years old. One of these, Theodore Bacher, 14, came from Port Jefferson. Had been in the poor-house two years. His father was living, but mother dead; father a drinking man. Been in this jail five months awaiting trial May second. In for stealing forty-five dollars which he confessed he took. Said his father was in jail and he took the forty-five dollars from his aunt to buy his father some clothes at his father's request, i. e., his father asked him to buy the clothes.

John Hardy. Came from Deer Park where he was accused of trying to wreck a train. Asked him why he did it. Said he did it so as to get home. The facts of the case upon investigation proved that he did it out of pure mischief and told his comrades that he did it in order to see the fun. His father a drunkard. Always lived in a mud hut. Mother he says is a decent woman and works out. He spoke of having been in the "Tomb" at Babylon, thus designating the Babylon lock-up.

Babylon Lockup.

Visited the Babylon lock-up the next day and found it certainly presented the appearance of a tomb. In any cemetery in the world it would have been taken for a tomb. It was a loathsome place, without light, an earth floor which was covered by filthy rags left there by tramps and vagrants and the loose gravel that had fallen from the roof. It had the musty odor that properly belongs to a tomb, and this boy just spoken of as being in the Riverhead jail was taken to this place in the outskirts of the town in a shadowy grove at nightfall and locked up by himself. One of the citizens of the town protested and the constable offered to let said citizen take him home if he would be responsible for his keeping. I asked him why the man did not take him home, and he said because the boy had lice all over him an inch long.

The lock-up at Babylon is a scandal to any civilized community. It is said to have cost \$1,500, but simply as a structure without regard to its use it is not worth \$500, and many a respectable tomb in a country cemetery has been built on the same principle for less money.

To lock up a boy of 13 in such a place is an outrage. However, it is not so gross an outrage as to lock him up in the county jail such as that at Riverhead in company with a young vagrant more advanced in crime than himself and a Russian Jew of 19 years of age who in the ways of crime and immorality knows all that manhood can teach him.

Queens County, Long Island City.

Inspected April 21, 1892, by the corresponding secretary.

Sheriff.—James Norton.

Keeper.—John McDougall.

Great improvements made in drainage since the last report. No prison smell perceptible. Young and old offenders kept separate. Considerable labor is done by the prisoners in breaking stones in the large yard attached to the jail. Saw several insane prisoners who were waiting to be transferred to insane asylums. A padded cell was provided for such as were violent. A room upstairs was provided for the prisoners from one day to six months. It had a slanting platform all the way around where the men slept in common. It was scrupulously clean, and there were forty men in the place at the time it was visited. The room is forty feet square and fifteen feet high, with ample provision for ventilation. This plan affords no greater opportunity for criminal contamination than to let the men loose in the narrow and badly ventilated corridors through the day and locking them up by twos and sometimes by larger numbers in the cells at night. There was ample provision for water, which came through faucets to a long sink, and, altogether, the jail was in admirable condition.

From time to time during the year special committees have been appointed for the investigation of abuses in prisons and

jails or for the promotion of some phase of prison reform. One of the most important of these committees was the committee for Kings county, whose report follows:

Report of Kings County Committee.

To the New York Prison Association:

The undersigned members of the committee constituted at a meeting of the executive committee, March 24, 1892, to inspect the county jails and penitentiaries in Kings county report that they are proceeding with that task in pursuance of their appointment and of an order made by Mr. Justice Bartlett of the Supreme Court.

The Raymond street jail has been examined and found to be in a crowded condition. We have been led to believe that many inmates of the jail are detained there after a time when they should have been transferred under commitments to the penitentiary. This supposed abuse is receiving further investigation.

The women's portion of the jail has been much improved of late years, the old building formerly used for imprisonment of women being now turned into a stable. The efforts, however, repeatedly made to compel the adoption of a prison dress by female convicts in the jail have not been successful. The women awaiting trial are separated by a grating from those who are serving sentences. This is the only attempt at classification.

In the male department some separation is attempted by keeping classes in different corridors. The provisions of the law on this subject are very imperfectly observed.

The jail is tolerably clean; but the condition of things there enforces the position repeatedly taken by the Prison Association that the county jails — except as places of temporary detention of criminals and for confinement of persons held under civil process — should be abolished.

The condition of matters in the Kings county penitentiary is greatly improved since that which existed at the time of the last regular inspection. Employment is now provided for

the inmates in forms of productive industry. Warden Hayes has introduced a new, commendable improvement in an ample bath-house. An old gas tank has been converted into a swimming bath, steam pipes being introduced under the water so as to raise its temperature during cool weather. Complaints of ill treatment are made by one of the women convicts which are under advisement. We again call attention to the injustice of the present law which discriminates against long-term county penitentiary convicts as compared with those in State prisons in the matter of bounty on discharge. We renew also the recommendation that the provisions of the Fassett law, giving convicts in State prisons a contingent interest in the earnings of their labor, be extended to the county penitentiaries; and we suggest that the association requests its committee on legislature to promote the passage of acts for this purpose.

Respectfully submitted.

JAMES McKEEN.

FREDERICK P. BELLAMY.

Report on the Station-houses.

To the Executive Committee of the Prison Association of New York:

Gentlemen.—The committee appointed to visit the station-houses of the city of New York, report that in accordance with your instructions they have visited, among others, those of the second precinct at New Church and Liberty streets; the fourth precinct, No. 9 Oak street; the sixth precinct, No. 19 and No. 21 Elizabeth street; the eleventh precinct, No. 105 Eldridge street; and the fifteenth precinct, No. 253 Mercer street, in all of which, except the second precinct, matrons are employed in accordance with the recently enacted law. There are two matrons in each, alternating day and night service weekly.

At each of the station-houses visited the captain or sergeant in charge cheerfully gave us, on statement of our commission, every facility for thorough examination of the buildings and the methods of administration.

Of the thirty-five police stations of the city, in only ten of them are matrons employed, but from our observations of the good results already accruing in consequence of their employment, we trust that at an early day all of them may receive the benefit of such service. The station-houses named above will serve as an example of all in the city, except the few recently erected.

The most prominent defects noted are the utter lack of proper ventilation and sanitation, it being almost incredible that in this civilized community it is possible for such conditions to exist, and that in the very buildings of the municipality itself. It would seem that the city board of health, that is charged with an oversight in these respects — of all the buildings in the city — have been very derelict in passing over these gross violations of all ordinary sanitary rules.

In the sixth precinct station-house there are sixteen cells for women, four and one-half by seven feet with low ceilings, each of them containing a water-closet; all of them occupied every night and including their connecting corridors are without one particle of ventilation, not even from a window, light being admitted to the corridor through a sky-light which we were informed by those in attendance is never opened. In this station-house are twelve cells for men. Also two rooms for lodgers, one for women and one for men; these lodging-rooms are fifteen to twenty feet square with a nightly average of eighteen to twenty five persons in each. All of these cells, corridors and rooms are heated by ordinary stoves — still more vitiating the alleged atmosphere.

The fifteenth precinct station-house has nine cells for women, an average of twelve prisoners per night with an average of seven to eight lodgers in a room set apart for that purpose; in this station-house there are also fourteen cells for men without any ventilation.

The fourth precinct station-house has fifty-two cells with an average of thirty prisoners; two lodging-rooms with an average of twenty-five men and fifteen women.

The eleventh precinct station-house has eleven cells for women with a nightly average of eight persons; one lodging-room for

women with an average of forty, there having been as many as fifty-two lodgers in this room at one time and all this in a room with only 3,000 cubic feet of air and practically without any ventilation. Surely there is need of an American John Howard to ventilate these unventilated nurseries of disease and schools of crime. One thing particularly noted is the absence of any facilities for bathing or washing even hands or face. There should certainly be some means for cleanliness and if necessary it should be made compulsory. Another thing especially noticeable is the meagre results in proportion to the outlay in the construction of these station-houses. The interest on the value of the land alone at New Church and Liberty streets on which the second precinct station-house stands would amount to several times the rental value of a proper building and land for the needs of that precinct. In this station-house the prisoners average but three a day and the lodgers seven to eight women and five to six men.

JOHN R. THOMAS.

EDWARD B. MERRILL.

W. M. F. ROUND.

NEW YORK CITY, *March 30, 1892.*

General Observations and Suggestions.

A careful study of the prisons under the direction of Superintendent Lathrop reveals very little, if any, effort to comply with the law providing for the gradation of prisoners. After all allowance has been made for the difficulties existing in the present prison buildings, and the difficulties of getting large appropriations for new ones, the superintendent of prisons must still be held as culpably negligent of the law; and naturally the beneficent effects that might have been expected to show themselves after three years, had such gradation been carried out, are in no wise apparent. The present prison law was enacted in good faith, by most intelligent legislation, after much consultation between the leaders

of the various interests involved, and it was expected that the superintendent of prisons would carry it out in good faith in order that the best results might be attained. The attention of the Executive is called to the neglect in this department and the Prison Association desires to put itself on record as protesting against the further perpetuation of a policy that leaves the prisons just what they have been — great schools of crime, great congregations of criminals huddled and herded together, learning from each other, contaminating each other; great feeders of the criminal class which has outgrown its ratio to the growth of the population.

The beneficence of the indeterminate sentence as applied to the State reformatory at Elmira, and to other reformatories in other States, has been beyond all question. In our present prison law there is ample provision for the further extension of the indeterminate sentence principle; but so little effort has been made by the superintendent of prisons to secure the operation of this section and to make it practicable by furnishing graded prisons, and suitable buildings for different grades, that but thirteen men have been sentenced under the indeterminate plan. Judges refuse to sentence men under this clause of the law because they are aware of the indifference prevailing in the superintendent's office, and plainly say that they do not know what is to become of the men who shall be paroled under the law, so inadequate are the provisions for surveillance that have been provided. The Prison Association will be glad to take its part in a popular movement for a revolution in the operation of the prison law. It asks and it demands that the prison law shall be carried out, and it proposes to fail in no effort looking to that end. It asks the Legislature to consider honestly this great problem of the care of the delinquent classes and proffers its aid and its influence in all matters pertaining thereto.

Committee on Discharged Prisoners.

The work of this committee, as of the committee on detentions, has been carried on to a great extent by the agent of the association, Mr. D. E. Kimball.

During the year assistance has not been refused to any one of the many hundreds of prisoners that have passed through the

offices of the association, providing they were sober at the time of application and proved themselves worthy of help and were willing to work. In aiding this class a very large number of garments have been distributed, these having been given to the association by its friends and patrons.

During the year there have been assisted to temporary work in our building 930. By meals, 1,043. Lodging, 834. Clothing, 326. Steady employment has been found for sixty-two. Transportation home to friends or employment for seventeen. Tools necessary for going to work have been furnished to twenty.

By such assistance as this the Prison Association protects society against the criminal who becomes reckless in unsuccessful attempts to find work. It affords him succor, counsel and encouragement obtaining a foothold in society.

In the department of detentions the work of the Prison Association requires an agent to be constantly in the courts and in the toms to look after cases where injustice has been done by malicious and unwarranted prosecution and to ward off the numerous irresponsible so-called lawyers who press their services at extortionate prices upon those who are frightened by their first experience of arrest. The record of cases herewith given are but typical cases of the many that are constantly occurring in the work of the association.

Library.

During the last year the library of the association, through the agency of the Rev. Samuel M. Jackson, D. D., one of our executive committee, has been put in most thorough order and a card catalogue prepared, making it a useful place of reference for those who need to inform themselves upon penological subjects. It is the only special library of the kind in the country and is constantly consulted by ministers, lawyers, legislators and others who are interested in striving to solve sociological problems.

In Memoriam.

Theodore W. Dwight, LL. D.

During the year it has been the painful duty of the officers of the association to chronicle the death of its long-time president, Professor Theodore W. Dwight.

Professor Dwight's connection with the Prison Association dates back to the very beginning of the movement for reformatory prisons in this State. He was a leader in the movement that led to the establishment of the State reformatory and drafted the very perfect bill under which that institution has been so well organized, a bill remarkable in all its provisions for the wisdom of the jurist, the great-heartedness of the philanthropist, and with a prophetic clearness as to the dangers and needs of the future. Under this bill the largest and most notable reformatory institution in this country has been established and has become a model for the whole world. Politicians have never been able to lay their hands upon it and no considerable amendments have been demanded in its first provisions. This bill was typical of the whole work of Professor Dwight in connection with penological matters in this State, and more directly in his connection with this society. Few men have lived whose soundness of judgment was more to be trusted. With this there was a greatness of heart and a nobility of purpose that made him the model of a leader in all philanthropic effort. His loss has been a severe one to the association and to the State. Indeed, the whole world recognized him as a penologist. There has been no important measure in penology shaped to the interests of this State during the last quarter of a century in which he has not had a leading part if not a guiding hand. The members of the executive committee of the Prison Association of New York feel a personal sense of loss in Professor Dwight's death.

TABLE OF APPLICATIONS FOR RELIEF AT OFFICE OF THE PRISON ASSOCIATION.

1892.	FROM STATE PRISONS.			FROM PENITENTIARIES AND REFORMATORIES.			FROM DETENTION PRISONS.	Total.
	Sing Sing.	Auburn.	Clinton.	Other States.	Blackwell's Island, N. Y. county.	Other counties.	Elmira Reformatory.	City prisons and county jails.
November	9	2	3	3	9	5	18	49
December	4	1	4	5	14	4	18	53
January	8	3	4	2	16	1	4	42
February	5	3	2		20	3	26	62
March	1			2	23		18	46
April	10	5			20	1	8	49
May	6	2	4	3	25	1	29	75
June	5	4		6	24	1	15	55
July	7	1	5	3	16		10	44
August	7	2	5	2	25	2	37	82
September	10	6	6	2	9		12	45
October	12	6	2	4	6	1	4	38
	84	35	35	32	207	19	190	640

Henry — — — applied for aid on August twenty-third, having been discharged from Sing Sing in April, after serving five years for forgery. He had tried hard to find work, but, being a clerk and having no references, he failed and came to the association as a last resort. As a test, he was given temporary work around the building and taken care of for a short time. He proved to be a good man and was referred to ———, who gave him work at twelve dollars per week. Since then his pay has been increased to fifteen. There is hardly a week but he comes to the office to express his gratitude to the association.

George ———, a very intelligent man, was discharged from Blackwell's island penitentiary August twenty-third, after serving three months for petit larceny, committed, he says, while under the influence of liquor. He had never been in prison before, but his drinking habits had lost him all the friends he ever had, and when he came here he was without a cent or a home. The usual test of work was applied and as he seemed diligent and willing he was assisted to permanent employment. He is now doing well and usually comes in on Saturday afternoons to report progress.

George ——— applied to the Association for assistance and employment after having been discharged from Clinton prison, to which place he was sentenced in 1875 for twenty-five years, on a charge of burglary in the first degree. Having been pardoned by Governor Flower on July 2, 1892, for having saved the life of an officer who was assaulted in the prison work-shop by another convict. He was highly recommended by a warden who had known him for many years. He said he was tired of life. He had tried hard for employment, had got a position, but after having worked two days his employer discharged him when he learned that he was an ex-convict. He said that everyone's hand seemed to be against him. He was given employment around the house, was provided with lodging and meals, and on October nineteenth was given steady employment in a factory at ten dollars and a half a week, the employment being secured through the efforts of this association. He was given some money as a loan, which he offered to pay back when he got his first salary, but he was told to keep it until his next pay-day, when he would be in

better condition to pay his debts. The Christian gentleman, who gave him employment, speaks very highly of him as a worker, and no doubt he will continue to do well.

Charles ———, from Clinton prison, applied for relief, having spent all the money allowed him by the State and being discouraged with his unsuccessful attempts to obtain employment. By trade he was a cabinet maker, and while in Clinton he had learned to play the tenor horn in the prison brass band. He found a number of places where help was wanted, but his efforts to secure them met with failure, because he had no references and belonged to no trades unions. He was put at work around the building for some time as a test, then given a letter to a gentleman in Newark, N. J., who procured him work in a band in that city. A few days ago he called to say that he was playing occasionally in a theatrical orchestra, and that he had a place, working in a leather working factory during the day. When the summer picnic season opens he will be engaged constantly at five dollars per day.

Claus ———, who had served ten years in Trenton prison for grand larceny, second offense, applied at this office for relief June twenty-first. He was in a destitute condition and had neither home nor friends. His wife, he informed us, was in an insane asylum and his two little children were sent away by the Children's Aid Society, he does not know where. The Law and Order Society of ——— would not allow him to remain in the town although that place was his former home. We provided him with clothing, lodging and meals in the usual manner, after he had worked for them, and then, as he seemed willing to work, gave him a letter to Mr. Crimmins, the cable road contractor, who could not take him because there were no vacancies. He was then sent to the commissioner of the street cleaning department but failed to get placed there. Then we saw Mr. ———, superintendent of the cable road and secured him employment. In a week he was appointed foreman over a gang of men and is making from fifteen to twenty dollars per week. He has over \$100 in the bank and is now thinking of starting in the milk business for himself. He goes to the asylum to see his wife almost every Sunday and is

probably a genuine reformed man. To use his own words—he owes it all to the kindness shown him by this association.

Frederick ———, an able-bodied and fine-looking young man asked the association's help towards securing a situation that he might support his family. When he applied he said he had been all over the city searching for work but had been unsuccessful because he was without a trade. Four years ago he was a member of the city police force. Some one on the force recognized him as an ex-prisoner and on investigation it was learned that he had been arrested in his boyhood for some petty offense and had been imprisoned for a short time. He was immediately charged with perjury and after conviction sentenced to ten years in the State prison. In his application for appointment as a policeman he had sworn that he had never been convicted of a crime. Governor Flower pardoned him. On applying for relief from the association he was given a letter of recommendation to the superintendent of a street railway and his appointment as a conductor followed in a few days. He called afterward to say that the association had saved his wife and children from starvation and to express his gratitude for the consideration shown him.

Detentions.

Helen ———, age — years, asked the association's help as she was unable to pay a lawyer and was not guilty of the charge against her. She said she went to a house where she had often worked by the day and rang the basement bell. The servant who answered did not admit her but she went and asked the mistress of the house if there was any work to be done. Receiving a negative reply she told the waiting woman there was no work for her and ——— went down the street. She had only got a few doors away when the servant and her mistress ran after and caught her and charged her with stealing a pocket-book containing money. She was arrested and held by a police justice to answer at special sessions. On making inquiry as to her character we found reputable people who had known her for nine years to be an honest and hard-working though very poor woman. We made a report of our finding to the court and she was discharged.

John ———, age 29, longshoreman and seaman, was arrested on ——— for violation of the excise law, and committed to the toms in default of bail. My attention was called to him on ———, and in a few hours I succeeded in having him discharged. His story was as follows: "I went into a saloon to get a drink, and as a favor went behind the bar while the boss went across the way to get dinner. A man came in and ordered beer, which I served him, and was immediately arrested as he was a policeman in plain clothes. I was put in the toms, and here I am for the last forty-five days just for doing a friend a favor." On consulting with Mr. Lindsay, at the district attorney's office, I found that the papers had been filed with a batch of bail cases and that it was on the grand jury calendar for that day. I hunted up the police and he told me that every word of ———'s story was true, and that he would help to get the man out. I told Mr. Lindsay that the officer corroborated the prisoner's story and the man's release speedily followed.

The attention of the association was called to the case of ———, a young colored boy, serving a three months' sentence in the workhouse for disorderly conduct by ———, an employment agent who has found places for a great many colored ex-convicts for us. The boy bore an excellent character, having been employed by ——— for three years. Being something of a dandy, he was out on Sixth avenue during the Columbus festivities dressed in his best and carrying a cane. He was attacked by a drunken colored woman, and in self-defense struck her with his cane. He was too much frightened to talk when he was arraigned in court to explain his case so he was sent to the island. At our request Judge White discharged him.

Age ———, was accused of stealing a bale of hay. At the time the hay was stolen ——— was in a hospital under treatment for cancer; the next day he got out of the hospital for a few hours on a pass, and meeting a couple of men with whom he was slightly acquainted they all went into a saloon to have a drink. The trio were arrested, and as ——— had no one to testify for him or money to employ a

lawyer he was locked up with the others. In this emergency he called on the association for help, and his release was brought about with the help of Judge Smith of the Court of Special Sessions. ——— had been in prison before and was well known to the police, and would have been sent there again had it not been for our intercession.

James ——— and H——, two colored boys under arrest for larceny in the first degree, being without money to employ counsel, asked the association's interest in their case. On investigation it was ascertained that a relative of one of the boys, a most respectable person, had been known to the association for the past seven years and during that time had been the means of securing employment for a great many men coming from prison. Consequently a special interest was taken in this case. The boys were accused of stealing a watch from the pocket of a drunken man on the West Side, in a saloon much frequented by colored people. It appeared that the man who lost the watch had been in the place for some hours, and during a greater part of the time had been asleep in a chair. On waking up he felt for his watch and found it missing. He asked everyone in the place for it but all denied having had anything to do with it. He went away and returned an hour later with a detective. The detective questioned everyone in the place but got no satisfaction until he said he would take the bartender anyway for violation of the excise law as it was then after the hour for closing. On hearing this remark, the man who cleaned the place up said he would not see the bartender get into trouble when he could help it, and declared that the two boys had taken the watch and that he saw them do it. The officer searched the boys but found no watch. Nevertheless, he took accuser and accused to the station-house and afterwards the two boys were indicted by the grand jury and brought up for trial. The facts were put before the district attorney and an official investigation urged before the matter proceeded any further; and, as we expected, the district attorney recommended the dismissal of the complaint, and the boys were immediately released.

Michael M——— discharged from the the asylum for insa

convicts and transferred to Ward's Island asylum, and although the Auburn authorities pronounced him insane, the local doctors held a contrary opinion and discharged him. He began to look around for employment when he was arrested and taken to police headquarters for a diamond robbery committed in Boston, a place he said he never visited. The authorities held him some days but had to let him go as the Boston people failed to identify him. After he had been around the city a few days he was again arrested and discharged as before. He came to the conclusion that New York city was a little too hot for him and applied to the association as a last resort. His family were very poor people and could only give him a shelter while in search of work. But the police would give him no rest and he asked us to send him out of the city. He had an offer of a home and steady work with a distant relative who lived in Columbus, O., out of reach of his former companions and the police. We bought him a ticket to Columbus and saw him on board the train and safely off.

J. H. ———, an inmate of Sing Sing prison, some months ago asked the association to assist him in recovering a sum of money from a lawyer in this city, paid for legal services which were never rendered. The man was charged with robbery, convicted and sent to prison for a term of years. After conviction, his friends retained the lawyer to argue the case before the General Term and secure a new trial. The retaining fee was fifty dollars and full counsel fee \$100, receipts for which were placed in our hands. The lawyer never did anything for the man, and on our asking that the money be returned stated that the case was such a hopeless one that he came to the conclusion that it was of no use to argue it, and after a correspondence running along for a year, announced his willingness to return the counsel fee. Shortly after this, the man's term having expired, he was released from State prison. A representative of the association accompanied him to the lawyer's office a number of times, and finally succeeded in getting \$100 for the man. Before the association became interested in the case the man's friends could not get an answer to a letter, nor secure a personal interview with the *lawyer*.





ANNUAL REPORT OF THE

MAY 18 1908

OF THE

PRISON ASSOCIATION

OF THE

STATE OF NEW YORK,

FOR THE

YEARS 1890 AND 1891.

TRANSMITTED TO THE LEGISLATURE MARCH, 1892.

ALBANY:

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No. 58.

MARCH, 1892

OF THE

1890 and 1891.

PRISON ASSOCIATION OF NEW YORK,
No. 135 EAST FIFTEENTH ST., NEW YORK CITY. }

HON. WILLIAM F. SHEEHAN, *Lieutenant-Governor*:

SIR.—In accordance with chapter 163 of the Laws of 1878, we have the honor to present herewith the forty-sixth and forty-seventh annual reports of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

Respectfully yours.

THEODORE W. DWIGHT,

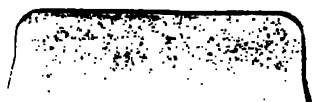
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Residence, Aurora.—Lansing Zabriskie.

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To be appointed.

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Residence, Sageville.—William H. Fry.

Herkimer county.

To be appointed.

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The association's committee on detentions and discharged prisoners.

Niagara county.

Residence, Lockport.—Gaylord B. Hubbell, M. H. Webber, Dr. J. B. Hartwell, Dr. A. W. Tyron, Mrs. Robert Norton, Myron H. Tarbox, Mrs. M. McGlashan, J. S. Helmer, Rev. Dr. Cushing, Rev. M. D. Babcock, Rev. P. Cannon, Mrs. Burt Van Horn, Mrs. A. L. Dietrick, Mrs. Montgomery, care of Mrs. Robert Norton, William H. O'Keefe, Moses Brady.

Oneida county.

Residence, Lockport.—Gaylord B. Hubbell, M. H. Webber, Dr. Dr. Edwin Hutchinson, Charles H. Warren, Edwin Hunt, Hon. P. J. Bridges, Rev. I. S. Hartley, Rev. E. E. Gardner, Rev. Father Lynch, Rev. Charles F. Bachman.
Residence, Rome.—Simon G. Visscher, Mr. Converse, Dr. Dutton, Mrs. Jay Hildreth, Hon. Henry A. Foster.

Onondaga county.

Residence, Syracuse.—Hon. P. Burns, A. C. Williams, Dr. H. B. Wilbur, Rev. M. Baird, Dr. R. W. Pease, Hon. W. H. H. Gere, Timothy Hough, M. W. Hanchett, Timothy R. Porter, J. C. Williams, Dr. E. E. Van DeWalker, James A. Skinner, G. L. Bonta, A. L. Merrick, Major H. W. Clarke, secretary.

Ontario county.

Residence, Canandaigua.—Cyrus W. Dixon, Mrs. Collins Hart, Professor Edward Tyler, Hon. James C. Smith, Levi B. Gaylord.
Residence, Geneva.—T. C. Maxwell, Arthur P. Pease.

Orange county.

Residence, Newburgh.—Rev. John Forsyth, D. D., H. A. Jones, Rev. H. V. S. Myers, John L. Sloat, Charles Estabrook, Colonel C. H. Weygant, Major E. C. Boynton, M. C. Belknap, Joseph Van Cleft, Dr. R. V. K. Montfort, Grant Edgar, William McCrea, John Caldwell, Uriah Traphagen, L. F. Corwin.

Residence, Goshen.—Dr. J. H. Thompson, Rev. Floyd A. Crane, George H. Mills.

Residence, Middletown.—Hon. J. D. Friend, Hon. J. G. Wilkin.

Orleans county.

Residence, Albion.—Edwin R. Reynolds, Daniel W. Frye, U. C. Rogers.

Oswego county.

Residence, Oswego.—Hon. O. J. Harmon, G. C. McWhorter, Hon. J. A. Place, Dr. A. S. Coe, G. Mollison, Mrs. George Goodier, Miss Florence Pettibone, Mrs. C. B. Randell, Edward Lee, Hon. George B. Sloan, Mr. P. C. M. Tride, Mr. P. O. Wright, Rev. David Tully, D. D., Edward Monen, Rev. H. H. Stebbins, Rev. W. S. Parker.

Residence, Pulaski.—N. B. Smith.

Residence, Fulton.—D. W. Gardner.

Otsego county.

Residence, Cooperstown.—Elihu Phinney, Dr. H. Lathrop, S. M. Shaw, G. F. Keese, Miss Susan Cooper, Dr. W. T. Bassett.

Putnam county.

Residence, Carmel.—J. D. Little, James R. Weeks, Addison Ely, M. D.

Queens county.

Residence, Great Neck.—John Keese, W. H. Onderdonk.

Residence, Hempstead.—Rev. William H. Moore, D. D., Ebenezer Kellum, Valentine Clowes.

Residence, Westbury.—Benjamin D. Hicks, Mrs. James Willetts.

Residence, Glen Cove.—Edwin A. Hopkins.

Residence, Astoria.—Rev. Washington Rodman, Miss E. H. Rodman, Dr. J. D. Trask.

Rensselaer county.

To be appointed under new rules.

Richmond county.

Residence, Richmond C. H.—Dr Ephraim Clark, Dr. I. L. Mils-
paugh, Stephen Stephens, Miss H. Moore, Miss Mundy.

Rockland county.

Residence, Stony Point.—Dr. William Govan.

Residence, Haverstraw.—Alonzo Wheeler.

Residence, Nyack.—Seth B. Cole.

Residence, Tomkins Cove.—Walter T. Searing, Mrs. Laura Wood.

Saratoga county.

To be appointed.

Seneca county.

Residence, Waterloo.—Hon. S. G. Hadley, Dr. S. R. Wells, Solo-
mon Carman.

Residence, Ovid.—Hon. George Franklin, Dr. John B. Chapin.

Residence, Seneca Falls.—Charles A. Hawley.

Schoharie county.

Residence, Schoharie.—Thomas W. Zeb, Jr.

Schenectady county.

Residence, Schenectady.—Dr. B. A. Mynderes, Hon. W. T. L.
Sanders, S. B. Howe, Professor C. E. Kingsbury, Rev. Dr.
Alexander.

Schuyler county.

Residence, Watkins.—Frederick Davis, Rev. George Knapp, B. W.
Woodward.

St. Lawrence county.

Residence, Canton.—George Robinson, Rev. James Gardner, H. H.
Judd, Dr. J. C. Preston, G. B. Manley, Rev. E. E. Brown, Rev.
George E. Forbes.

Residence, Ogdensburg.—Dr. B. F. Sherman, Professor R. G.
Pettibone, Daniel Magone, Rev. L. Merrill Miller, Rev. J.

Bastow, W. L. Proctor, J. W. Wilson, Gates Curtis.

Residence, Potsdam.—E. W. Foster, L. E. Wadleigh, Rev. George Harkness, Rev. C. E. Bascom, O. E. Bonney, John A. Vance.

Steuben county.

Residence, Bath.—Z. L. Parker, Rev. O. K. Howard, Rev. James M. Platt, Dr. A. H. Cruttenden.

Residence, Corning.—Dr. H. C. May, F. A. Williams.

Suffolk county.

Residence, Riverhead.—Dr. R. H. Benjamin, Thomas Cook, G. O. Wells.

Sullivan county.

Residence, Monticello.—James Strong.

Residence, Grahamville.—Dr. J. M. La Moree.

Tioga county.

Residence, Owego.—Hon. William Smyth, A. Abel, V. N. Russell, G. B. Goodrich, A. Coburn, H. D. Pinney.

Tompkins county.

Residence, Ithaca.—Professor Ziba H. Potter, Professor James Law, Professor William D. Wilson, Marcus Lyon, Orange P. Hyde.

Ulster county.

Residence, Kingston.—Hon. James G. Lindsley, Mrs. Mary J. W. Reynolds, F. W. Westbrook, S. D. Hood, Rev. L. T. Watson, Augustus W. Reynolds.

Residence, New Paltz.—C. W. Deyo.

Residence, Saugerties.—W. R. Sheffield.

Residence, Rosendale.—Rev. John Gleason.

Warren county.

Residence, Lake George.—Samuel R. Archibald, Francis G. Crosby, Elias S. Harris, Dr. W. R. Adamson.

Washington county.

Residence, Salem.—James B. Ashford, C. R. Hawley.

Wayne county.

Residence, Lyons.—John L. Cole, William Van Master, Charles Ennis.

Residence, Palmyra.—Isaac C. Bronson, Dr. Samuel Ingraham, A. S. Niles, Mrs. Horace Eaton, George G. Jessup.

Residence, Arcadia.—Rev. Park Burgess.

Residence, Walworth.—Hon. Lucien T. Youmans.

Westchester county.

Residence, White Plains.—Dr. H. E. Schmid, Mrs. J. O. Dyckman, M. Prudhomme, Rev. F. V. Van Kleeck.

Residence, Sing Sing.—Dr. G. J. Fisher, Mrs. Catherine E. Van Cortland, L. G. Bostwick, S. G. Howe, Miss E. Roe, Rev. N. T. Everts.

Wyoming county.

Residence, Warsaw.—Hon. Augustus Frank, Rev. L. E. Nassau.

Yates county.

Residence, Penn Yan.—Joseph F. Crosby, William F. Van Tuyl, D. A. Ogden.

REPORT OF THE TREASURER

TO THE

Prison Association of New York from December 31,
1889 to December 31, 1890.

Dr.

Cash on hand December 31, 1889.....	\$78 53
Donations.....	4,422 70
Board of estimate and apportionment.....	500 00
Elmira reformatory, for care of paroled men.....	300 00
Rents.....	938 00
Deficit December 31, 1890	178 91
	<hr/>
	\$6,418 14

Cr.

Expense of agency in New York city for discharged convicts and persons under arrest.....	\$2,148 40
Expenses of State organization, prison and jail inspection and county work.....	3,210 75
Taxes, water rents and insurance No. 135 East Fifteenth street.....	235 99
Interest on \$6,500 mortgage on No. 135 East Fifteenth street.....	325 00
House expenses	503 00
	<hr/>
	\$6,418 14

CORNELIUS B. GOLD,

Treasurer.

We hereby certify that we have carefully examined the
accounts and vouchers of Cornelius B. Gold, Esq., Treasurer,
and find them correct.

EUGENE SMITH,

JAMES McKEEN,

Auditing Committee.

DONATIONS FOR 1890.

Mrs. Edwin Parsons.....	\$5 00
Mrs. Francis Lynde Stetson.....	10 00
Adrian Iselin	100 00
G. E. M., a lady.....	25 00
Charles Watrous	50 00
Miss Sarah J. Gray.....	5 00
Mrs. Wm. T. Shedd.....	10 00
Henry G. Marquand	10 00
John S. McLean	10 00
Mrs. Julia Merritt.....	25 00
Anson Phelps Stokes	25 00
Anonymous	1 00
John W. Hutchinson.....	10 00
Samuel Richter, by Mr. Hutchinson.....	5 00
Wm. M. Jackson, by Mr. Hutchinson.....	5 00
Cornelius Vanderbilt	100 00
Dr. J. H. Fruitnight.....	5 00
Wm. D. Ellis.....	5 00
C. D. Wood	100 00
Dean Sage	500 00
John C. Tucker.....	10 00
Mrs. Byam K. Stevens.....	10 00
Mrs. D. B. Van Emburg.....	5 00
C. H. Contoit.....	10 00
Ascension Memorial Chapel.....	3 00
James Weir Mason.....	5 00
E. P. Dutton	10 00
Mrs. Jonathan Sturges	10 00
S. T. Gordon	5 00

John T. Lockman	\$10 00
Andrew C. Zabriskie	10 00
Frank R. Lawrence	19 00
H. C. Schwab	10 00
Wm. R. Stewart	10 00
Mrs. Frederick Goodridge	10 00
E. C. Bogert	50 00
Woodbury G. Langdon	10 00
Henry K. McHarg	109 00
F. R. Coudert	10 00
Z. R. Brockway	10 00
Gerard Beekman	10 00
Mrs. F. S. Witherbee	10 00
Mrs. H. C. Stimson	10 00
Thos. G. Shearman	10 00
Wm. Hall's Sons	10 00
Mrs. U. Dane Ellingwood	5 00
R. T. Auchmuty	25 00
Anonymous	5 00
Alfred V. Meserole	25 00
R. D.	5 00
Wm. Schaus	5 00
C. H. Dodge	10 00
Simon Borg & Co	10 00
Elgridge T. Gerry	100 00
Rev. Wendell Prime, D. D.	100 00
Frank H. Parsons	5 00
George G. Williams	20 00
Mrs. Walter Geer	5 00
Charles W. Ogden	10 00
Edward Lauterbach	10 00
Anonymous	10 00
Mrs. Joseph R. Skidmore	25 00
Frederick Uhlmann	10 00
Sarah J. Van Sieten	10 00
Dr. E. V. Stoddard	10 00

Miss Campbell	\$10 00
W. P. Prentice	15 00
S. P. Merrill	5 00
Anonymous, Glens Falls, N. Y.	1 00
Dr. Emily Anthon	5 00
H. W. De Forest	50 00
Friends in Central New York, by Rt. Rev. F. D. Huntington	150 00
Allen Tucker	50 00
Mrs. Nicholas Fish	10 00
Robert V. McKim	5 00
Dudley Jardine	25 00
Rev. W. G. T. Shedd, D. D.	5 00
Mrs. J. Blair Scribner	25 00
George E. Sterry	10 00
Bleecker Van Waganen	25 00
W. D. Barnes	10 00
Seth Low	10 00
Rev. Arthur Brooks, D. D.	10 00
Robert Jaffray	10 00
James M. Constable	10 00
Wm. Bispham	10 00
Jacob Halsted	10 00
Cash	10 00
Mrs. Edward E. Poor	10 00
William E. Dodge	25 00
Dr. J. McE. Wetmore	10 00
Dr. T. Gaillard Thomas	10 00
Miss Julia Rhinelanders	100 00
Miss Serena Rhinelanders	100 00
Lispnard Stewart	50 00
Robert S. Holt	10 00
Oelrichs & Co.	25 00
George S. Fraser	50 00
John B. Whiting	10 00
O. B. Jennings	10 00

C. H. Allen	\$10 00
Charles B. Meyer.....	5 00
A. Ernest Vanderpoel.....	25 00
Cornelius N. Bliss.....	25 00
Henry C. Swords.....	10 00
P. Caroline Lawrence.....	5 00
S. B. Schieffelin.....	5 00
Walston H. Brown.....	25 00
Mrs. Isaac Abbatt.....	2 00
"F. E. T.".....	25 00
G. G. Haven.....	10 00
C. F. A. Hindrichs.....	10 00
Mrs. Frederick Billings.....	10 00
Morris K. Jesup.....	50 00
Cornelius B. Gold.....	100 00
Thomas M. F. Randolph.....	50 00
Mrs. Julia Merritt.....	25 00
S. T. Gordon.....	25 00
Dr. Charles D. Smith.....	10 00
C. H. Coster.....	20 00
Mrs. S. F. R. Coddington.....	5 00
Mrs. J. Angarica.....	10 00
Mrs. Helen L. Deas.....	10 00
Henry Batterman.....	10 00
Mrs. Isaac Abbatt.....	2 00
Warren C. Beach.....	5 00
Dr. Emily Anthon.....	5 00
E. C. Homans.....	100 00
George N. Curtis.....	50 00
Rev. Lyman Cobb, Jr.....	5 00
Anonymous	2 00
Mrs. Alice Ketaltas.....	15 00
J. H. Kellogg.....	5 00
Mrs. Anna M. Cox.....	5 00
John Sinclair.....	10 00
"J. B. C." in memoriam.....	10 00

John Greenough	\$10 00
Mrs. J. W. Appleton	10 00
Charles W. Ordor	10 00
Warren C. Beach	5 00
First Congregational Church, Amherst, Mass.	5 00
Charles T. Cook	10 00
John S. Kennedy	100 00
Mrs. J. E. Ogden	10 00
John J. McChock	10 00
H. F. Spaulding	25 00
William Colgate	25 00
Mrs. P. A. Foster	25 00
Mrs. George H. Morgan	10 00
J. Meritt Howe	5 00
O. B. Jennings	10 00
Mrs. J. W. Minnery	10 00
Mrs. George H. Warren	10 00
Arthur V. Pancoast	10 00
R. Fulton Cutting	50 00
J. L. Dudley	10 00
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\$1,122 70	
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1890.

OTHER DONATIONS THAN MONEY.

Mrs. Doid	Reading matter.
E. St. John Hays	Clothing.
George L. Cheney	Clothing.
Mrs. W. B. Lockwood	Clothing.
William Openhym	Clothing and reading matter.
W. B. Welling	Reading matter.
Anonymous	Reading matter.
Mrs. Partridge	Reading matter.
Miss Ward	Reading matter.
Mrs. R. Corcoran	Reading matter.
Mrs. Blatchford	Reading matter.

Rev. H. L. Myrick	Clothing.
J. S. Mewad	Reading matter.
Mrs. N. Raley	Clothing.
Mrs. Waterbury	Reading matter.
Hospital B. & N. Society	Reading matter.
Robert W. Rutherford	Clothing.
George A. Strong	Clothing.
A. A. Redfield	Clothing.
Mrs. S. Stiner	Reading matter.
Mrs. H. H. Nathan	Clothing.
Mrs. George B. Grinnell	Reading matter.
Hospital B. & N. Society	Reading matter.
Dr. R. H. Sayre	Clothing.
Rev. E. W. Bulard	Reading matter.
C. W. Ogden	Reading matter.
W. H. Atwood	Clothing.
Miss D. Fay	Clothing.
Joseph Corbit	Clothing.
Mrs. G. S. Hall	Reading matter.
Mrs. G. H. Barker	Clothing and reading matter.
Mrs. W. L. Breeze	Clothing.
E. H. Ogden	Clothing.
A. E. Faxon	Clothing.
J. W. Miller	Clothing.
Hosp. B. & N. Society	Reading matter.
Mrs. J. F. Dillon	Clothing and reading matter.
Mrs. John W. Ambrose	Clothing and reading matter.
Andrew C. Zabriskie	Clothing.
Mrs. Thos. Macy	Reading matter.
Mrs. H. Waldo	Reading matter.
Mrs. Pierre M. Thomson	Clothing and reading matter.
Anon	Clothing.
Mrs. De Witt C. Taylor	Reading matter.
Miss Fay	Clothing.
Mrs. Clark	Clothing.
Mrs. Leon Hess	Clothing.
L. Stewart	Reading matter.
Mrs. J. F. March	Reading matter.

Geo. H. Morgan	Clothing.
Mrs. C. Wray.....	Clothing.
G. C. Wetmore.....	Clothing.
Mrs. W. H. Montanys.....	Reading matter.
M. Bellman.....	Reading matter.
Mrs. John Stanton	Clothing.
Mrs. Emily Anthon.....	Clothing and reading matter.
John B. Whiting.....	Clothing.
Mrs. Nicholas Fish....	Reading matter.
Anon.....	Clothing.
Miss Brooks.....	Reading matter.
Wm. Herron & Co.....	Reading matter.
Miss G. Kendall.....	Reading matter.
Mrs. Poores.....	Clothing and reading matter.
Mrs. Hermann.....	Reading matter.
C. W. Loomis.....	Clothing.
C. J. Gillis.....	Clothing.
Mrs. Reed.....	Clothing.
Mrs. R. Burt.....	Reading matter.
H. Rosenberg.....	Reading matter.
Mrs. R. S. Gould.....	Reading matter.
Wm. S. Dunbar.....	Reading matter.
F. Ford Sutton.....	Clothing.
Mrs. J. F. Dillon....	Clothing.
Anon.....	Clothing.
Mrs. W. H. Granberry.....	Clothing and reading matter.
Mrs. Blatchford ...	Reading matter.
M. Davidson.....	Clothing.
Mrs. Waterbury.....	Reading matter.
Mr. Bradford.....	Reading matter.
Mrs. S. Ullman.....	Clothing.
Mrs. Williams.....	Clothing.
H. Melville.....	Clothing.
Mrs. C. W. Machen.....	Clothing.
Miss Dent.....	Clothing.
Rev. H. L. Myrick	Reading matter.
Mrs. J. H. Jaquelin	Clothing.
E. St. John Hays	Clothing.

Miss Dame.....	Reading matter.
Mrs. J. F. March.....	Reading matter.
Lawton.....	Reading matter.
Mrs. W. H. Flohr.....	Clothing.
Melville.....	Clothing.
Mrs. J. H. Jaquelin.....	Clothing.
Geo. E. Sterry.....	Clothing.
F. E. Otis.....	Clothing.
Anon.....	Clothing.
L. J. Werner.....	Reading matter.
Mrs. W. Bispham.....	Clothing.
Miss Brooks.....	Clothing.
Hospital B. and N. Society.....	Reading matter.
Miss McKnight.....	Clothing.
S. B. Schieffelin.....	Reading matter.
Mrs. R. A. Shotwell.....	Clothing.
Blagden.....	Reading matter.
Miss J. E. Clark.....	Reading matter.
Edward Cobb.....	Clothing.
Mrs. C. Murray.....	Reading matter.
C. W. Loomis.....	Clothing and reading matter
Mrs. A. M. Jackson.....	Reading matter.
Mrs. J. H. Jaquelin.....	Clothing.
Bowery Mission.....	Reading matter.
Gospel Mission.....	Reading matter.
Mrs. Chittendon.....	Reading matter.
Mrs. R. Huson.....	Reading matter.
Mrs. G. G. Brinkerhoff.....	Reading matter.
Mrs. R. Dodd.....	Reading matter.
Mrs. Werner.....	Reading matter.
Miss Dame.....	Reading matter.
Eugene Smith.....	Clothing.
Mrs. Rutherford.....	Clothing.
Mrs. Stevens.....	Clothing.
L. Koehler.....	Reading matter.
Mrs. J. H. Britton.....	Clothing.
Mrs. F. N. Otis.....	Clothing.
Mrs. Helen L. Deas.....	Bedding.

J. Albert Lane.....	Clothing and reading matter
Mrs. A. H. Smith	Clothing.
Mrs. E. F. Hyde	Clothing.
Geo. F. Salter	Reading matter.
N. Freeman	Clothing.
W. J. Haddock	Clothing.
Rutherford	Clothing.
C. J. Gillies	Clothing.
Mrs. Wilson	Reading matter.
Mrs. H. Bennett	Clothing.
Mrs. S. Hermann.....	Clothing.
H. H. Nathan	Clothing.
Mrs. M. Julieur.....	Clothing, reading matter .
J. Morgan Howe	Clothing, reading matter.
Mrs. R. Campbell	Clothing.
Mrs. Geo. M. Groves	Clothing.
Mrs. W. E. Bullard.....	Reading matter.
W. Waterbury	Reading matter.
Mrs. Williams	Clothing.
Anon	Clothing.
Miss Jones	Reading matter.
S. P. Avery	Clothing.
Mrs. Goodrich	Clothing.
Mrs. J. H. Jaquelin....	Clothing.
McKnight.....	Clothing.
A. E. McFarland	Clothing.
Mrs. T. Moss	Clothing.
Rev. Geo. S. Payson.....	Clothing.
Mrs. E. E. Poore.....	Clothing.
Jas. J. Phelan.....	Clothing.
A. E. Miller	Clothing.
Mrs. Campbell	Clothing.
Mrs. Hedden.....	Clothing.
Thos. F. Rowland	Clothing.
Andrew C. Zabriskie	Clothing.
John M. Shedd	Clothing.
Mrs. G. A. Frink.....	Clothing.
Mrs. Chas. W. Ogden.....	Reading matter.

Mrs. Blatchford	Reading matter.
Miss Kendall	Reading matter.
Henry Lindenmeyr	Wrapping paper.
Dr. Geo. W. Crary	Clothing.
Mrs. John Stanton	Clothing.
Mrs. Walter C. Hubbard	Reading matter.
Miss Hammill	Reading matter.
Mrs. Mary Scott Rowland	Clothing.
Hospital B. & N. Society	Reading matter.
Miss Van Norden	Clothing.
Mrs. Geo. H. Monnell, Jr	Reading matter.
R. Fulton Cutting	Clothing.
H. C. Bolton	Clothing.
Louis B. McCagg	Clothing.
Mrs. Chas. L. Tiffany	Clothing.
Mrs. E. M. Gillett	Clothing.
Mrs. E. Strauss	Reading matter.
L. Strebeigh	Clothing.
Mrs. C. S. Day	Clothing and reading matter.
Mrs. J. H. White	Clothing.
Mrs. L. Lincoln	Clothing.

TREASURER'S ACCOUNT

WITH THE

Prison Association of New York for Ten Months, from
December 31, 1890, to October 31, 1891.

Dr.

Donations.	\$3,246 28
Bequest, estate of Mary Rogers.	1,000 00
New York State Reformatory.	300 00
Rents.	255 00
Institution for Savings of Merchants' Clerks, old balance.	3 00
	<u>\$4,804 28</u>

Cr.

Expenses of agency in New York city for discharged convicts and persons under arrest.	\$2,075 38
Expenses of State organization, prison and jail inspection and county work.	1,826 83
Water rents and insurance on No. 135 East Fifteenth street.	26 20
Interest on \$6,500 mortgage on No. 135 East Fifteenth street.	162 50
House expenses.	385 13
Paid deficit for 1890.	178 91
Balance in Mechanics' National Bank, October 31, 1891.	149 33
	<u>\$4,804 28</u>

CORNELIUS B. GOLD,

Treasurer.

The treasurer's account is only given for ten months, because the association has this year changed the date for making an annual report from December 31 to October 31. This change causes the receipts and payments to be diminished by the proportionately large amounts that would otherwise come in the months of November and December.

We certify that we have examined the accounts and vouchers of Cornelius B. Gold, Esq., treasurer, and find them correct.

NEW YORK, *December* 18, 1891.

EUGENE SMITH,

EDWIN B. MERRILL,

Auditing Committee

D O N A T I O N S .

Benjamin Ogden Chisolm.....	\$5 00
Adrian Iselin.....	100 00
Lewis P. Tibbals.....	5 00
Victor Gerard	10 00
Mrs. John F. Dillon.....	10 00
Abraham S. Peet.....	5 00
Mrs. Edwin Parsons.....	5 00
Mrs. W. Wheeler Smith.....	10 00
"G. E. M.".....	25 00
John S. McLean.....	10 00
W. Van Norden.....	10 00
Mrs. Wm. T. Shedd.....	10 00
Miss Sarah J. Gray.....	5 00
Mrs. Francis Lynde Stetson.....	10 00
Z. R. Brockway.....	10 00
Maturin D. Delafield.....	10 00
Mrs. Henry V. Parsell.....	10 00
Mrs. Frederick Billings.....	25 00
Henry Day	10 00
Wendell Prime, D. D.....	100 00
Cornelius Vanderbilt	100 00
Mrs Wm. Polk.....	10 00
Mrs. W. F. Waring.....	10 00
Mrs. Frederick Goodridge.....	10 00
O. H. Contoit.....	10 00
John T. Lockman.....	10 00
H. K. McHarg.....	100 00
F. R. Coudert.....	10 00
Mrs. Jonathan Sturges.....	10 00

Wm. D. Ellis.....	\$5 00
Church of the Covenant.....	40 00
James Weir Mason.....	5 00
George G. Williams.....	20 00
Wm. R. Stewart.....	10 00
C. H. Dodge.....	25 00
Wm. Schaus	5 00
Edward C Bogert.....	50 00
Anson Phelps Stokes.....	25 00
Woodbury G. Langdon.....	10 00
Mrs. Walter Geer.....	5 00
H. C. Schwab.....	10 00
Gerard Beekman	10 00
Wm. Hall's Sons.....	10 00
Mrs. F. S. Witherbee.....	10 00
J. Watts de Peyster	10 00
Richard S. Ely	10 00
Andrew C. Zabriskie	10 00
R. T. Auchmuty	25 00
E. P. Dutton	10 00
Mrs. A. L. Eastman	10 00
C. D. Wood	100 00
J. Hampden Robb	50 00
Mrs. Chauncey M. Depew	10 00
"Mrs. A. E. B.".....	5 00
Mrs. Henry Eagle	2 00
Victor Gerard	10 00
Mrs. Julia Merritt	25 00
Mrs. H. C. Stimson	10 00
Nathaniel W. Conkling, D. D.....	5 00
John B. Lawrence, Jr.....	5 00
"M. A. D.".....	5 00
H. W. de Forest	50 00
Thomas G. Shearman	10 00
John Crosby Brown	10 00
Dean Sage	100 00

W. F. Prentice.....	\$10 00
J. Cleveland Cady	10 00
Frederick Uhlmann	10 00
Mrs. Ellen Collins	10 00
Mrs. W. H. Verplanck	2 00
John D. Wing	10 00
First Presbyterian Church, Binghamton, N. Y.....	40 05
George S. Fraser	25 00
M. Fay Peirce	2 00
Dr. Emily Anthon	5 00
Robert V. McKim	5 00
Mrs. Henry Talmadge	5 00
Mrs. Joseph R. Skidmore.....	25 00
Mrs. E. V. S. Winthrop	25 00
Mrs. George Forrest Butterworth	5 00
Rev. John C. Bliss	10 00
Leonard D. White	10 00
Robert Jaffray	10 00
Mrs. George W. Van Siclen	10 00
M. E. Bowen, Philadelphia, Pa.....	5 00
Charles E. Merrill	10 00
Mrs. Alexr. Miller	10 00
Wm. E. Dodge.....	10 00
H. G. Marquand	10 00
Wm. Einstein	10 00
A. Ernest Vanderpoel	25 00
Edwin Einstein	25 00
S. Newton Smith.....	25 00
Miss Nellie de Peyster	1 00
Payson Merrill	10 00
W. S. Rainsford, D. D.	10 00
Mrs. James Gallatin	5 00
Dr. Henry D. Noyes.....	10 00
James A. Hearn & Son.....	10 00
Middleton & Co.	10 00
Dudley Jardine	25 00

J. Lawrence McKeever.....	\$10 00
Mrs. Joseph Milbank	50 00
Mrs. M. B. Wheeler.....	10 00
James M. Constable	10 00
George E. Sterry	10 00
Dr. J. McE. Wetmore	10 00
Robert S. Holt	10 00
Bleecker Van Wagenen	25 00
Seth Low	10 00
Dr. T. Gaillard Thomas	10 00
Arthur Brooks, D. D.	10 00
C. H. Allen	10 00
Mrs. J. Blair Scribner	25 00
Wm. Bispham	10 00
J. Halsted	10 00
H. E. Alexander	10 00
Oelrichs & Co	25 00
John B. Whiting	10 00
"Cash".....	10 00
E. C. Potter	10 00
Mr. and Mrs. Paul Tuckerman.....	50 00
Charles B. Meyer	5 00
James H. Hamersley	25 00
Mrs. P. Caroline Lawrence	5 00
Henry C. Swords	10 00
Morris K. Jesup	50 00
S. A. Tucker	50 00
Henry A. Bogert	5 00
R. S. Cross	10 00
Cornelius C. Colgate	10 00
"V. G.".....	10 00
Dr. Willard Parker	10 00
Amos R. Eno	10 00
Norman W. Dodge	25 00
Mrs. E. G. Ellingwood	5 00
Wm. F. King	10 00

Edward Lauterbach	\$10 00
Mrs. Nicholas Fish	10 00
Lispenard Stewart	50 00
Miss Serena Rhinelander	200 00
John C. Tucker	10 60
J. Stickney	10 00
Christ Church, Oswego, N. Y.....	10 00
J. Hampden Robb.....	25 00
Benjamin Ogden Chisholm	5 00
J. W. Curtis	100 00
Arnold, Constable & Co.....	25 00
C. H. Coster.....	25 00
Oliver G. Barton	5 00
Rev. Lyman Cobb, Jr.....	5 00
Mrs. S. F. R. Coddington	5 00
Mrs. E. T. Hiscock.....	2 00
Robert C. Pruyn, Albany, N. Y.....	50 00
James F. Tracey, Albany, N. Y.....	10 00
J. Fenimore Cooper, Albany, N. Y.....	10 00
Church of the Incarnation.....	83 07
Grace Episcopal Church.....	214 16
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\$3,246 28	
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1891.

OTHER DONATIONS THAN MONEY.

Mrs. R. Huson.....	Reading matter.
Arthur Mitchell.....	Clothing.
S. E. Naylor	Bedding.
Anon.....	Clothing.
Dr. E. Anthon.....	Clothing.
W. A. Wiechmann.....	Clothing.
Dr. L. D. Bulkley.....	Clothing.
Hosp. B. and N. Society.....	Reading matter.
Mrs. W. H. Flohr.....	Clothing.

C. W. Loomis	Clothing.
Mrs. John H. Wray	Clothing.
Hospital B. and N. Society	Reading matter.
Anon	Clothing.
Mrs. Chas. E. Beebe	Clothing.
P. Wisner	Clothing.
Mrs. M. A. Leavitt	Reading matter.
Mrs. E. S. Snyder	Reading matter.
Miss Dame	Reading matter.
Miss Fessenden	Clothing and reading matter.
Mrs. J. D. Hayne	Clothing.
Dr. Emily Anthon	Clothing.
Mrs. Howard Clarkson	Reading matter.
Mrs. Smith.	Clothing.
Miss C. Silcock	Reading matter.
Col. Geo. T. Balch	Clothing.
Mrs. Low	Clothing.
Mrs. W. Tompkins	Clothing and reading matter.
Andrew C. Zabriskie	Clothing.
Mrs. J. H. Jaquelin	Clothing.
Lehmaier & Bros.	Letter paper.
Kilian Van Rensselaer	Clothing.
Mrs. Geo. A. Jeremiah	Clothing.
J. Perry	Clothing.
J. L. Roberts	Reading matter.
H. N. Fraser	Clothing and reading matter.
Mrs. Eugene Smith	Clothing.
Mrs. J. H. Bird	Reading matter.
Mrs. Knoblauch	Clothing.
Crane	Reading matter.
Mrs. Geo. W. Van Sicken	Clothing.
A. E. Seifert	Clothing.
Mrs. H. Fisher	Clothing and reading matter.
Gen. R. C. Hawkins ...	Clothing.
Dr. Wildman	Clothing.
Mrs. W. P. Beers	Clothing.
Mrs. A. H. Levy	Reading matter.
C. J. Gillis	Clothing and reading matter.

Mrs. Wilson	Clothing and bedding.
Mrs. S. Ullman	Clothing.
W. A. Potter	Clothing.
Dr. W. C. Moore	Reading matter.
Mrs. E. D. Hicks	Reading matter.
Louis B. McCagg	Clothing.
Mrs. W. Rosenbery	Reading matter.
Mrs. Lee	Clothing and reading matter.
Jas. J. Phelan	Clothing.
Miss Eleanor Hendricks	Reading matter.
Mrs. H. H. Nathan	Reading matter.
Martin Wolff	Reading matter.
Mrs. Mary C. Gattman	Clothing.
W. H. Brown	Clothing.
Mrs. John M. Masterton	Reading matter.
Mrs. J. S. Halsey	Reading matter.
Anon	Clothing.
Isaac N. Seligman	Reading matter.
Mrs. G. A. Jeremiah	Clothing.
Mrs. C. S. Day	Clothing.
A. E. Snyder	Reading matter.
Mrs. R. King	Reading matter.
Mrs. Blatchford	Reading matter.
Mrs. E. K. Linen	Clothing and reading matter.
Mrs. Perkins	Clothing.
Mrs. Geo. E. Baker	Bedding.
Mrs. M. Davidson	Clothing.
Miss Wardell	Clothing.
Mrs. Lispenard Stewart	Reading matter.
Mrs. James W. McLane	Reading matter.
Miss Helen W. Foot	Reading matter.
W. Clark, Jr.	Reading matter.
Miss Van Worden	Clothing.
Mrs. J. G. Skinner	Reading matter.
Mrs. O. Meyer	Reading matter.
Mrs. Eugene Smith	Clothing.
Mrs. C. W. Machen	Clothing and reading matter.
Mrs. Robert Taylor	Reading matter.

E. Greene	Clothing.
Mrs. G. Winthrop.....	Reading matter.
Mrs. J. T. Lockman	Clothing.
Mrs. J. Stanton.....	Clothing.
A. Henderson.....	Clothing and reading matter.
Mrs. M. H. Chittenden.....	Clothing.
Mrs. Low	Clothing.
Am. Female Guardian Society....	Reading matter.
Miss J. Pindell.....	Reading matter.
Mrs. C W. Machen.....	Clothing and reading matter.
Mrs. Nicholas Fish	Reading matter.
Mrs. Edward R. Jones.....	Reading matter.
Robert Fox.....	Clothing, carpet.
Mrs. George Errington	Clothing, carpet.
E. Valentine.....	Reading matter.
M. E. Tweedy.....	Reading matter.
Mrs. J. A. Davis	Reading matter.
Miss Phinney.....	Reading matter.
E. Chandler.....	Clothing and reading matter.
F. Blume.....	Clothing and reading matter.
M. L. H. Beers.....	Clothing.
Mrs. Silber.....	Reading matter.
E. P. Ingraham.....	Reading matter.
Mrs. H. H. Brown.....	Clothing and reading matter.
James L. Miller.....	Reading matter.
Mrs. Geo. A. Morrison.....	Reading matter.
Mrs. E. C. Underhill.....	Reading matter.
E. M.....	Clothing.
Mrs. Wheeler.....	Clothing and reading matter.
J. R. Davenport.....	Clothing and reading matter.
Mrs. E. Cotter.....	Clothing.
Mrs. J. Scott.....	Clothing and reading matter.
Mrs. M. Mitchell.....	Clothing and \$5.
Mrs. C. R. Swartz.....	Furniture.
Dr. Sayre.....	Clothing and reading matter.
W. C. Pike.....	Clothing.
D. Drone.....	Clothing.
Anthony Comstock.....	Reading matter.

Dr. Chas. S. Benedict.....	Clothing and reading matter.
Mrs. A. Knox.....	Clothing.
N. Black.....	Clothing and reading matter.
F. S. Pownall.....	Clothing.
Ely Coley.....	Reading matter.
Mrs. M. A. Shute.....	Reading matter.
Mrs. McCrum.....	Reading matter.
Mrs. J. H. Johnson.....	Reading matter.
E. Brodhead.....	Clothing and reading matter.
Mrs. Melcher.....	Reading matter.
Mrs. W. Loudon.....	Reading matter.
W. Briggs.....	Reading matter.
William P. Cooper.....	Reading matter and clothing.
Mrs. C. Wilkie.....	Reading matter.
E. C. Norton.....	Clothing and reading matter.
Mrs. White.....	Clothing.
A. C. Zabriskie.....	Clothing.
Mrs. Caroline Nelson.....	Reading matter.
Mrs. Arcularius.....	Reading matter.
Mrs. E. N. Smith.....	Clothing.
Mrs. Thomas S. Clarkson.....	Clothing.
Mrs. Naylor.....	Clothing.
Mrs. George E. Woodward.....	Clothing.
Mrs. A. Carpenter.....	Reading matter.
Mrs. C. Irving.....	Clothing.
Miss S. B. Jandon.....	Reading matter.
Elsie Davis.....	Reading matter.
Miss E. Inslee.....	Reading matter.
Mrs. E. F. Davison.....	Reading matter.
Mrs. W. P. Beers.....	Clothing.
R. H. Amidon.....	Reading matter.
Mrs. James Hershman.....	Reading matter.
Mrs. M. Julien.....	Clothing and reading matter.
J. F. O'Neill.....	Clothing.
James Corbit.....	Clothing.
Anon.....	Clothing and reading matter.
Hospital B. & N. Society.....	Reading matter.
C. W. Loomis.....	Clothing.

A. W. Gerster.....	Clothing.
E. S. Melville.....	Clothing and reading matter.
Mrs. Colwell	Clothing and furniture.
W. D. Demarest.....	Clothing and reading matter.
Mrs. K. N. Tomkins.....	Clothing.
Mrs. A. G.....	Reading matter.
Mrs. Cyrus Cole.....	Reading matter.
W. H. Ritter.....	Reading matter.
Dr. R. H. Derby	Reading matter.
Mrs. F. Bryany.....	Clothing and reading matter.
Miss A. L. Bartow	Clothing and reading matter.
Mrs. Odell.....	Clothing and reading matter.
Dr. J. De Witt Nelson.....	Clothing and reading matter.
Miss Shinn	Reading matter.
A. A. Hunter.....	Reading matter.
Mrs. E. F. Davison.....	Reading matter.
M. A. Tiemann.....	Clothing.
M. Chas. Raht.....	Reading matter.
Mrs. A. Brown.....	Reading matter.
G. G. Needham.....	Reading matter.
W. H. Van Kleeck.....	Reading matter.
H. Stagg.....	Clothing.
Z. K. Bents.....	Reading matter.
A. B. Throop	Clothing and reading matter.
Mrs. A. Brown.....	Clothing and reading matter.
Mrs. Smiler.....	Clothing and reading matter.
S. E. Bennet.....	Clothing.
Mrs. C. F. Zabriskie.....	Clothing and reading matter.
H. L. Richards.....	Reading matter.
Mrs. H. Melville	Iron bedstead.
Dr. Wm. Burns.....	Clothing and reading matter.

Charter of the Prison Association of New York.

AN ACT to incorporate the Prison Association of New York.

PASSED May 9, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of \$10,000, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline, and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline, and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty

dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society, at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

3. The said executive committee shall have power to establish a work house in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in

said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may

enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate.

A. GARDINER,
President.

STATE OF NEW YORK:

IN ASSEMBLY, *April 24, 1846.*

This bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof,

Resolved, That the bill do pass.

By order of the Assembly.

A. C. CRAIN,
Speaker.

APPROVED, this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW YORK,)
SECRETARY'S OFFICE.)

Approved, this 9th day of May, 1846.

I have compared the preceding with an original on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such report as is above required, the said inspectors shall have power to examine, on oath to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

* See section 20 in last revision.

By-laws of the Prison Association of New York.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for him.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking

care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all money belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, ex officio, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

REPORT OF EXECUTIVE COMMITTEE.

The Prison Association of New York, complying with the law under which it was organized, offers its annual reports. Nos. 46 and 47. This report covers year 1890 and part of 1891. The report of 1890 was sent to the Legislature late in the session and was a record of fifteen months' work. It was sent in the usual way to the clerk of the Senate, but owing to the recent law that all reports made to the Legislature from State boards or societies authorized to do work for the State must be in before December twelfth, the report was not published. The manuscript was not returned to the association and a careful search has failed to find it. This report, then, will cover the work of the association for 1890 and a part of 1891. The work of the association, as outlined in its charter, has been faithfully done, as will be shown in the reports of its different departments. Never before in its history has the association done so practical a work for the rehabilitation of discharged prisoners, nor has it ever before taken so large a part in the inspection of State prisons and the investigation of certain alleged abuses.

INVESTIGATION.

In the early part of August, 1891, there appeared in certain public prints very highly drawn stories of abuses in Dannemora prison. The secretary of the Prison Association, having had his attention called to these, went at once to Dannemora to ascertain exactly how much truth there was in the published stories. They were found to be very much exaggerated, but there was still enough truth in them to make an investigation desirable, and the visit of the corresponding secretary to the prison was speedily followed by the appointment of a commission acting as attorneys in fact for Superintendent Lathrop to investigate all the affairs of Clinton prison. The corresponding secretary of this association was secretary of that commission. Five sessions were held and an immense amount of evidence was taken. A report was published giving the findings of fact and certain recommendations as to the discipline and rules of the prison. The findings of fact were as follows:

FINDINGS AND FACTS FROM THE EVIDENCE.

1. The agent and warden has not caused to be kept a daily journal, or any record for entry of every or any well-founded complaint made by any convict of cruel or unjust treatment by a keeper, as by statute he has been required to do, or caused to be provided any means for the making of such complaint, by any convict, without the consent of his keeper.

2. The chaplain has never made a written quarterly report to the warden, stating the number of convicts instructed during the last preceding quarter or any period of time, or the branches of education in which they have been instructed, or the progress made by them, or whether there are any cases in which unusual progress has been made, as the law has directed, but testifies he made "a verbal report."

3. The making of shirts and the laundering of the same are the chief industries of the prison, and with a comparatively small manufacture of men's drawers, children's waists, women's night-dresses and corset covers and a little box-making and State work and incidental industries furnish the only opportunities for teaching trades to the prisoners, the evidence showing also that from 175 to 200 prisoners were idle.

4. With such limited exceptions, trades have not been taught and the labor of the prisoners has not been directed with sole or primary purpose to fit convicts of the first class to maintain themselves on their discharge, or with secondary reference to such self-support of convicts of the second class, as the statute has commanded.

5. A number of keepers and guards with the principal keeper, have sometimes indulged in profane swearing toward convicts, or in their presence.

6. Intoxication or the immoderate use of intoxicating liquors at times has been proved against the following officers, though habitual drunkenness has not been shown against any of them to wit: Guard Cassidy, Guard McGraw, Keeper McGowan, Keeper Conway and Keeper John Nash.

7. Guard Feehan has clandestinely carried letters from and to prisoners in their correspondence with outside parties.

8. The corporeal punishments of the prison have been administered in four modes, to wit, by paddling, by pulleys, by process of stretching on one arm, successively in point of time; and by dungeon or screen cell. Immurement in the dungeons or the screen cells has been coterminous with the successive periods of the three other forms of punishment. Paddling was mostly, but not entirely, discontinued after the order of Superintendent Baker, approved by Governor Cleveland, dated January 16, 1883, was issued forbidding it; but most, if not all, such cases of paddling subsequent to said order were reported by the warden to the superintendent. The pulleys, which then became the substitute for the paddle, were destroyed with the paddling chair and other contents of the guard-room, which was consumed by the fire of January 1, 1891. Since the fire the process of stretching on one wrist has supplanted both paddle and pulleys.

9. The last-mentioned mode of punishment, designated by the officers as the "tying up" process, has been by means of a cord, secured with or without a handcuff to one wrist of the subject and fastened to a fixture overhead. The tension has been such as to strain the arm painfully when long continued, even with the feet left to rest entirely on the ground, and in many cases, such as to lift the heels, and in other cases such as to raise the balls of the feet from the ground. The duration of this "tying up" process, when under a tension, straining the patient to the toes, has been from a few minutes to an hour or more, and under less painful tension has been from the "all right" bell, early in the evening, prolonged indefinitely, sometimes until morning or for eighteen hours or more.

10. This punishment usually has not been continued in the presence, even if commenced in the presence, of the warden or the principal keeper or the prison physician; and sometimes it has been administered by inferior officers at night to stop noise or disturbance without special order from the warden or the

principal keeper, but under a general power from the principal keeper.

11. The punishment by pulleys was by means of a cord about one-quarter of an inch in diameter bound about both wrists brought together, and drawn upon an overhead system of pulleys, lifting the subject entirely from the ground, with his whole weight suspended on the small cord about his wrists. The duration of this process of punishment, which in persons of the same weight denotes the degree of its severity, was from two minutes or less to fifteen and twenty-five minutes and more, one case shown reaching fifty-five minutes. It is proved that several of the cases in evidence fainted, and it is in the testimony of officers that in their opinion other cases of apparent fainting were simulated, the principal keeper giving fifteen or twenty occurrences where, in his judgment, the symptoms of fainting were feigned. It is in evidence that in the year 1885, one case of great length was attended by bets, or offers to bet, on the part of two inferior officers on the probable endurance of the subject. Hon. Goodwin F. Brown, the former pardon clerk of Governor Hill and Governor Cleveland, in the discharge of the duties of his office, obtained the impression that except in rare cases the maximum limit of the time of such hanging was two minutes. The evidence shows that, assuming the form of punishment to be proper, in no case should it exceed from five to ten minutes.

12. Punishment by paddling was administered in the guard room. The paddles were made of two thicknesses of sole leather stitched at the edges, which were three to four inches wide on the blade, and, with the twisted handles of the same material, were about twenty-eight inches long. The blows by means of such paddles were inflicted on the bare flesh of the buttocks of the subject, who was in position bent across a frame called a chair or horse with his face downward, his feet encased in fixed shoes at the base on one side, his arms secured by wristlets attached to a bar about one foot from the ground on the other side, and his thighs and back fastened with leather straps. This, or a similar device, was formerly used in other prisons. Though

the number of blows was kept under thirty, perhaps, in the majority of cases, it was not an extraordinary occurrence in which a prisoner received forty or fifty blows; and among the particular cases in evidence, it is proved that one convict received 100 blows on one occasion since the said order was issued enjoining any and all paddling, to wit, in the year 1885; and another prisoner in the month prior to the issue of said injunction, to wit, December, 1882, and within a period of ten days was subjected to five different paddlings, receiving on each of two given days over 200 blows. Each of the two subjects of the paddling here specified was insane. The late prison physician, who was in office until the spring of 1889, was present at both these punishments, and advocated one and consented to the other, though by statute he had authority and it was his duty to prevent them. Another case of paddling occurred in the fall of December of 1890, on the charge of feigning insanity; for which the warden, on reporting the same to the Superintendent of State Prisons, was by him reprimanded, as appears by the records in his office. The first Superintendent of State Prisons obtained the impression that the number of blows never exceeded thirty. If the punishment should be assumed to be legal and right, the proper maximum limit would be five to ten blows, as the evidence shows.

13. These three modes of punishment, respectively, by paddling, by pulleys and by process of one wrist, were frequent, being, besides many lesser punishments, on the average several in one week, and in the great majority of cases for failure in work. But the evidence shows that such forms of punishment, if they could be construed to be legal and justifiable, should be administered under the most definite restrictions as to severity and admissibility, and should be reserved, on account of their moral effect, for grave offenses and rare occurrences which in number and degree would be a small part of the actual cases established in this prison.

14. The punishment by solitary confinement on short allowance, has been applied, not in ordinary cells, but in dark cells or dungeons, and in screen cells. The screen cells have sometimes

been used for detention, but when used for punishment have differed from the dungeons, which are totally dark, only in the admission of a few rays of light; and each sort of punishment cell has been devoid of all furniture except a bucket; not even a board having been provided for protection against the stone flagging. The prisoners here and elsewhere call these cells coolers. The short rations in these cells are four ounces of bread and one gill of water, every twenty-four hours. The ordinary periods of such confinement have been from two to five or six days. The evidence shows neglect by the late physician, Dr. Smith, in making official visits to convicts so immured, and one case of oversight by the present physician, who has, however, not been shown to be negligent in any other case. One old case of incarceration in January, 1880, with full rations of bread and water, for three and perhaps six weeks, followed within a short time by similar confinement on bread and water for ten or fourteen days or longer, was established by the proofs; and it is in evidence that afterwards the patient was kept in close confinement in the screen cell, but with bed and on ordinary diet, for a few months and then by the late prison physician, soon after the beginning of his official administration, admitted to the hospital, where a few weeks subsequently he died of a disease which the evidence does not show was caused by the confinement, but may or may not have been aggravated by it. The offense of this man was refusing to work and assaulting an officer.

15. Some of the inferior officers have at times struck the prisoners, and to some extent the principal keeper has given to keepers power to "cuff up" prisoners.

16. Unpleasant relations were sustained by the late physician with the warden and his principal keeper; and the physician confined his advice strictly to the physical ability of prisoners to endure punishments, and failed to give orders, even on that ground, for the discontinuance of punishments; and such orders when given were by the principal keeper, in one case, disobeyed; and the claim made by Dr. Smith is that his orders were evaded in other cases, though on cross-examination he fails to identify them.

17. The present physician, Dr. Ransom, has advised respecting punishments on general grounds, and secured mitigations in punishments by the pulleys since his term of office began, in the spring of 1889, until the substitute of stretching on one wrist was adopted. The said prison physician has been diligent in keeping the required records of his office, and in attending to hospital and general prison duties.

18. The hygienic condition of the hospital has been greatly improved under the direction of the present physician; and the sanitary condition of the entire prison is excellent. The food is good and has been as good as the statutory limits of prison diet admit; and the complaints to the contrary are entirely disproved.

19. The published charges against the financial management and affairs of the agent and warden are entirely disproved; and the investigation of the said charges did not disclose any irregularities of finances or accounts, which, having been examined by a competent expert, are shown to have been kept on a correct system and with honesty and a high degree of care.

20. The number of prisoners employed at shirt making has always been much less than that allowed by the five per cent limitation, which is defined in the statute; and it was reduced, prior to this investigation, to seventy on shirt making, and thirty on lanudering.

The regular hours of labor have not exceeded eight for each working day, and have excluded every Sunday and public holiday, excepting works of necessity or mercy.

21. The agent and warden has given much of his time to the financial and business departments of his office, in purchases and sales and other affairs; and has intrusted the discipline of the prison almost entirely to the principal keeper, in accordance with the practice which has more or less obtained in other penal institutions. The agent and warden has been ignorant of many of the abuses and evils under his administration.

22. The fire of New Year's day, 1891, discovered good discipline among the convicts and admirable conduct and self-possession on the part of the warden with his inferior officers; and its effect in crowding prisoners into open corridors, where they slept on

bunks fronting the cells of the unburned building, was to make the government and management of the prison more difficult during a large part of the year 1891.

23. In the new prison now building, cells for solitary confinement have been designed on improved plans, and so far removed from the common cells as to admit of punishments by immuring refractory or noisy prisoners, without disturbing the occupants of the common cells; and were so designed by the agent and warden, with the advice of the prison physician, and with the approbation and in pursuance of the general suggestions of the Superintendent of State Prisons, prior to the investigation of charges or their publication or presentation, and with the purpose and intention of reducing the number and mitigating the severity of other modes of corporeal punishment, and of bringing the system of discipline more in harmony with the statute.

24. Clinton prison, under the system of transfers from other prisons as directed by the first Superintendent of State Prisons, and continued by his immediate successor, has had more than its proportionate share of disabled and of hardened and incorrigible prisoners.

25. The agent and warden and his principal keeper expressed willingness, before the commission, to confine the punishments and discipline of the prison, in the future, within the provisions of the statute.

GENERAL CONCLUSIONS FROM THE FACTS FOUND.

1. The agent and warden has violated the directions and provisions of the Revised Statutes in neglecting to keep a record for entries of complaints, or to provide means for convicts to make complaints, or to teach the prisoners or direct the labor of the prison, with sole or primary reference to fitting those of the first class to maintain themselves on discharge, or with secondary reference to such self-support of prisoners of the second class, or to secure the quarterly reports of the chaplain.

2. The chaplain has violated the law in neglecting to make such reports.

3. The agent and warden has also violated express injunctions and directions of the Revised Statutes in permitting and in some cases personally ordering punishments by paddling, by pulleys and by stretching on one wrist; and in failing to limit all unusual punishments to solitary confinement on short allowance, subject to the daily inspection and direction of the prison physician; and in consenting to the direction or continuance of any punishments by inferior officers. It is fair to state that he claims on his construction of the statute that these punishments have not been in violation of the law.

4. The principal keeper has violated the law in the said matters of said punishments; and also in giving general power to keepers to stretch and to "cuff up" prisoners. He makes claim on the construction of the law similar to that of the warden.

5. The punishments by the three modes of respectively paddling, pulleys and stretching by one wrist, have often been severe, sometimes bordering on the line of excessive severity, and in a few cases in evidence crossing such line into cruelty.

6. The punishments by solitary confinement on short allowance have been practiced by methods not suggested but not forbidden by the statute, which does not specify that the prisoner should be immured in a cell entirely and continuously dark, or devoid of bed or even a plank on which to lie, though the practice in this prison has not greatly differed from that in other penal institutions.

7. The undue severity practiced in this prison, and the several violations of statute by the officers, appear to have proceeded not from a hardened heart or conscience of the agent and warden or the principal keeper, but in some cases from wrong construction of the law, and in other cases from indefensible ignorance of the law and of the ideas by which it is informed, and from exceptional conditions obtaining in this prison.

8. Most of the offenses for which severe punishments have been inflicted have been directly or indirectly caused by superior officers in failing to employ competent and properly qualified keepers, perhaps under the pressure of political conditions; and

in being able to secure the cooperation and assistance of such trades and occupations as are necessary for their support, according to the several regulations for self-support on their discharge, and as the same have operated since for the better success of the prison and industry of the convicts on account of their former pursuits or present abilities, could give the most product with the least friction, and in failing to provide individual or personal government or treatment of the convicts; and, as already specified, in failing to follow the letter and the spirit of the statute.

9. Most of the severe punishments appear to have been retributive rather than remedial.

10. Clinton prison has not been maintained on actual system, and in fact, as the statute directs for the "reformation of convicts" committed to it.

RECOMMENDATIONS ON THE FOREGOING FINDINGS AND CONCLUSIONS AND ON THE PROOFS.

1. The following officers should be discharged, to wit: Guard Caneady, Guard McGraw, Keeper McGowan and Keeper Conway, for having been intoxicated; and Guard Feehan for violation of the rules of the prison and of the provisions of the Penal Code. Keeper Lewis should be reprimanded for excessive profanity and rough conduct, and retained, if at all, on the express condition that for a repetition of either offense he will be discharged. Keeper John Nash should be reprimanded for being intoxicated and required to abstain from the use of the intoxicating liquors, and to be subject to the same rules as are applied to the other officers of the prison, and to be discharged if he fails to do so.

2. That the prison be maintained on actual system, and that the same be so managed as to secure the best results for the reformation of the convicts committed to it.

3. That the prison be so managed as to secure the best results for the reformation of the convicts committed to it.

The shirt factory, which rocks and excites the fears of the convicts confined there in the fierce winds which strike the elevated site of the prison, should be made secure for the sake of the feelings of these involuntary inmates, as well as for their safety in fact. Manilla paper should be furnished for closets on sanitary reasons, as well as for protection of bibles and other books that have been mutilated to supply the want.

4. The three modes of punishment, respectively, by paddle, by pulleys and by process of stretching by one wrist, should be abolished by the warden and prohibited by the superintendent. While there is difference of opinion among the members of the commission on the merits of the form of punishment by paddling, if administered under proper regulations, all the members agree that the law prohibiting it should be complied with while on the statute book; and that the punishment by pulleys and by process of one wrist should be abolished. The punishment by dungeon, or screen or solitary cell should be regulated, by requiring record entry, by the prison physician, of his daily visit to each convict immured, with statement of the rations and of the protection by plank, or otherwise, from the stone floor, and of the alterations, if any, between short and larger or better allowance of food, and between deprivation and restitution of bed, and between exclusion and admission of light.

5. Each punishment of a serious nature, including solitary confinement on short allowance, and the decision and order therefor, should be delayed one day from the arraignment of the convict and the examination of the charge or complaint against him. The observance of such a rule would often show punishment to be unjust or make it unnecessary, while it would not interfere with proper detention or confinement for safety, pending the examination and delay of punishment.

6. A variety of trades should be introduced, and keepers should be appointed on account of their qualifications to instruct in such trades; and the labor of the prisoners should be directed to qualify them to maintain themselves on their discharge, as directed by the statute.

7. The agent and warden should provide complete means for the access of convicts and the communication of their complaints to him, without the consent of their keepers, as well as for the proper entry of such complaints; and among such means he should first furnish proper facilities for the writing and delivery of letters from convicts to him, as is done in some other prisons. In other and all matters and respects also, individual treatment and personal government of the convicts, under the enforcement of general laws applicable to all alike, should be substituted for the mechanical methods of the present system of discipline.

8. The statute should be amended to direct that prisoners respecting whose sanity there is a reasonable doubt, shall be transferred to the Asylum for Insane Convicts for observation, and that a record of all such cases shall be returned to the prison for filing.

9. The law should be so amended as to require the warden in person to make a daily report, duly verified by his affidavit, to the Superintendent of State Prisons, of all cases of punishment and discipline and other important matters in the management of the prison, and making the intentional neglect to render such report, or the intentional falsification, suppression or omission of any such case of punishment or discipline, a felony; and providing that in the absence or disability of the warden, and in that event only, the principal keeper shall make such report, under the same sanctions and penalties.

10. The attention of the revisory commission should be called to the foregoing and other points mentioned in the opinion, for proper consideration in the revision of the Prison Law.

POLITICAL CONTROL OF PRISONS.

The investigation was most thoroughly and conscientiously made, but one point upon which the law is very explicit was not touched, and that is the matter of political control of the prisons and political appointments to places within the prisons. The investigation itself grew out of such an appointment having been made in the person of one John Brophy, who was appointed, it is said, at the instance of Mr. Murphy, of Troy, and without special reference

to any fitness or experience as a prison officer. His appointment to this prison and to Auburn prison is a typical instance of the way keepers are foisted upon the wardens of our prisons, and kept in positions in them, and I can not, perhaps, do better than to quote the testimony of Warden Fuller as sworn by me in the preliminary investigation. It is as follows:

Isaiah Fuller, being sworn, testified as follows:

Q. What is your position here? A. I have held the office of warden for the past twelve years.

Q. Have you anything to do with hiring guards and keepers here? A. I have everything to do with it.

Q. How do these men come to you? A. Through recommendation of different people.

Q. You have had a man named Brophy here? A. Yes, sir; John Brophy.

Q. How long was he here? A. He was examined September 28-29 and went on duty October 1, '89; he left October 29, '90, and returned for duty January 11, '91; he was suspended finally February 2, '91.

Q. How did he happen to come to you? A. He was recommended to me by Mr. Murphy, of Troy; I saw Mr. Murphy and told him I had to put on some new officers and asked him if he had any good men in view; he recommended B.

Q. Did you find him a good officer? A. I found him a very good post guard; he asked to go on post; said he preferred that on account of his health; he wanted to get into the woods on account of some lung difficulty and asked for the position of guard; he was kept there until our fire; then we had to have the old and experienced hands to take care of men upon the ruins and we put substitutes on post.

Q. Did he ask to be removed or transferred to Auburn? A. No, sir; he was suspended here; he violated prison rules in refusing to obey an order of the principal keeper. When we took him off post we put him right on as night guard and he was found asleep; I was away in Albany; Mr. Moon on my return said "I have suspended Brophy for refusing to obey my orders;" I asked him what was the matter, and he said that a night man

Q. He made a distinct threat of writing up the prisons? A. Yes, sir; he made the reply I have stated, after I told him I wished to satisfy his friends, which was the reason I interested myself in his behalf, but that under no circumstances could he do duty here; he said he would not work for the State of New York or anybody else over eight hours a day; that he had to work from twelve to fourteen hours here; that the laws of the State of New York did not require him to work over eight hours."

After the investigation had been made and the report published, in accordance with the promise made to the commission I visited the prison again to ascertain if the law as to political appointments had been complied with. I put every officer in the prison under oath and examined him as to the appointments of all keepers made since June 6, 1889, when the present law went into operation. I found that of fifty-seven officers fifty-one were Democrats, a large number of whom were appointed without any civil service examination and purely on the recommendation of political leaders; that the prison was, in fact, a political prison, where it was fully understood that the surest avenue to preferment was political service, either rendered in the past or prospectively in the future. The first officer examined was the warden of the prison, who received his own appointment on the first of last January on the summary removal of Warden Fuller, who was thrown out of a position he had held for many years with forty-eight hours' notice and without cause. Mr. Fuller himself was a Democrat, a man of known loyalty to that dominant political faction of that county and was known to be obnoxious to the State administration on that account. He was replaced by a man who had had no experience whatever as a prison officer, but whose affiliations were warmly in accord with the faction then dominant in the State. An examination of the new warden shows him to be a man full of zeal, and one who is intelligently studying the complex problems with which he has to grapple. He has vigorously taken hold of the administration of the prison, has acted upon all the recommendations made by the investigation commission, and has made himself perfectly

accessible to convicts who may wish to complain to him or ask his help. But the fact remains that his appointment was purely a political appointment made at the instance of a party leader, and that an estimable man who was obnoxious to the party was unscrupulously sacrificed in order to make the place vacant, his thirteen years of prison service counting for nothing. During the incumbency of Warden Fuller all applicants for the position of keeper or guard were examined under the civil service rule, in many cases the examination being conducted by the chief examiner, Mr. Riley. This practice has been entirely abandoned. Perhaps I can not do better to make plain the way in which appointments are made at the prison than to quote directly from the evidence taken by me as reported by the court stenographer in Clinton county, Mr. Cleary:

CLINTON PRISON, DANDEMORA, N. Y.

The following testimony of the respective witnesses was taken by Secretary Wm. M. F. Round:

Walter N. Thayer, being duly sworn and examined by Mr. Round, testified as follows:

Q. Where was your former residence before you became warden?

A. Troy, N. Y.

Q. How long have you been warden? A. Since the 1st of January, 1892.

Q. Previous to the receipt of your commission had you any intimation that you would become warden of this prison? A. Yes, sir.

Q. How long a time before that? A. A year prior to that.

Q. How did you get the intimation? A. Well, through conversation; I was an applicant for the position; the first man I applied to was Governor Hill.

Q. Did the Governor promise you the position? A. No, sir.

Q. Was your application to him based upon any political service that you rendered? A. No, sir.

Q. Did you mention any political service? A. No, sir.

Q. Did he mention any to you? A. No, sir; I may state that I have been a personal and intimate friend of Governor Hill for years, and my reason for making application to him was that I was not acquainted with General Lathrop.

Q. How long before you received your commission did General Lathrop give you any intimation that you might receive the appointment? A. I was introduced to General Lathrop about three days prior to my appointment.

Q. Will you tell us what your political affiliations are? A. I am a Democrat.

Q. Have you ever held any office—political office? A. Simply local; I was alderman of the city of Troy and president of the common council there.

Q. Both of those are elective offices? A. Yes, sir.

Q. Do you hold any position in the county or city political committees in Troy? A. I am a member of the Democratic county committee.

Q. Are you a member of the State committee? A. No, sir.

Q. You have been warden since January first? A. Yes, sir.

Q. Have you taken on any new keepers since that time, or guards? A. Yes, sir; guards; no new keepers, any further than to promote some of the old guards to vacant keeperships; appointed no new men to be keeper.

Q. Would it be possible for you to give us the names of the men who have been appointed to places in the prison since you became warden? A. Yes, sir. (Produces record.)

Q. What is this book that you produce? A. The principal keeper's time book, where he keeps the time of the men every day they work.

Q. Who keeps it mainly? A. The principal keeper. (Page 46 of said book marked "Exhibit A.")

Q. In this list of officers and keepers on page 46, it appears that the appointments made since your administration begin with P. H. Cooney, guard? A. Yes, sir.

Q. Will you tell me on whose recommendation Mr. Cooney was appointed? A. He was appointed on the recommendation of a gentleman named John Kelly, of Malone, Franklin county.

Q. Is this Mr. Kelly a man personally known to you? A. Yes, sir.

Q. Was there anything in his recommendation asking for appointment as a recognition for political services? A. No, sir; simply that he was a friend of his and an old prison officer -- had been guard here before; I am frank to say he is one of the best officers I have here.

Q. On whose recommendation was J. Jennings appointed? A. Hon. Austin Lathrop, Superintendent of State Prisons.

Q. Do you know what the political affiliation of either Cooney or Jennings is? A. I do not.

Q. Upon whose recommendation was Peter Flinn appointed? A. On the recommendation of Frank Rice, at the request of the Superintendent of State Prisons.

Q. Upon whose recommendation was C. Henry appointed? A. Mitchell and Henry were two death watches that belong right here in the village; Mr. Fuller appointed them.

Q. On whose recommendation was A. L. Thayer appointed? A. He was appointed on my own recommendation; he is a brother of mine.

Q. Upon whose recommendation was Edward W. Crumm appointed? A. My own.

Q. What did you know of Mr. Crumm before you appointed him? A. I knew Mr. Crumm as a miner at Lyon Mountain; he wasn't getting good wages there and couldn't get along very well, and he made application to me and I appointed him as guard.

Q. On whose recommendation was Thomas Ormsbee appointed? A. He was appointed on the recommendation of Edward Murphy.

Q. Was the appointment made as a reward for political service? A. No, sir; Mr. Murphy asked me if I could appoint a man named Ormsbee for him who had formerly been a police officer; I knew him as such myself; I was acquainted with him myself.

Q. Did you ever know of any political service he rendered your party? A. No, sir; I don't regard him as a politician.

Q. Will you kindly state what you intend to make your rule in regard to appointments? A. Well, my intention is to have a civil service board here at the prison to examine men after thirty days' trial, as to their mental and physical fitness for the place.

Q. Other things being equal, would a man who had had experience in prisons as a prison officer between two candidates be the man who would get the preference? A. Yes, sir; he certainly would.

Q. Those men you have appointed here have not yet gone through any civil service examination? A. No, sir; not that I know of.

Q. James T. Macksey, upon whose recommendation was he appointed? A. Recommended to me by Hon. Austin Lathrop.

Q. John Words, of Buffalo? A. On the recommendation of Lieutenant-Governor Sheehan.

Q. Thomas McCormick, of Lansingburgh, upon whose recommendation was he appointed? A. On that of Edward Murphy, Jr.

Q. These are all the appointments that you have made since you have been there? A. Yes, sir.

Q. These men are employed, are they, permanently? A. No, sir; these men are taken on probation; they are taken on for thirty days and then we examine them and see if they are fit, and if they show by their performance of their duties and their knowledge of them that they are desirable men for the place they are retained.

Q. These men come to you without any civil service examination having been previously made? A. Yes, sir.

Q. Do you know whether that has been the general custom of the prison? A. Yes, sir, it has; they are generally put on probation for thirty days and then submitted to a civil service examination afterward by the prison board.

Q. Are they not examined by the Civil Service Board of the State? A. No, sir; the reason of that is because of a decision by the Court of Appeals in the case of Mr. Shanahan, in the Public Works Department, in which they decided that men in that department need not be examined except by the authorities themselves; they are subject to the city civil service board; General Lathrop

that he had been in the hospital and the doctors had said that he was in a bad way. He had been in the hospital for a long time and the doctors had said that he was in a bad way. He had been in the hospital for a long time and the doctors had said that he was in a bad way.

Q. That is all understood. Now, when I saw you again on the 10th of the month, was it the same day that the Wilson was in the hospital? Did you see him there? Did you see him in the hospital?

A. Yes, I saw him in the hospital. He was in the hospital since the 10th of the month. He was in the hospital since the 10th of the month. He was in the hospital since the 10th of the month.

Q. Now, when you saw him in the hospital, was he in the hospital? Did you see him there? Did you see him in the hospital?

A. Yes, I saw him in the hospital. He was in the hospital since the 10th of the month. He was in the hospital since the 10th of the month. He was in the hospital since the 10th of the month.

Q. Now, when you saw him in the hospital, was he in the hospital? Did you see him there? Did you see him in the hospital?

Q. How many prisoners have you at present? **A.** Eight hundred and fourteen.

Q. If one in twenty were able to do this work, that would give you about forty men? **A.** Yes, sir.

Q. What were your plans and intentions regarding the other convicts? **A.** I propose putting as many on that as I can work to advantage, and sell the product.

Q. Do you know what the demand is for these shovels? **A.** I am corresponding with some parties now in regard to it; I got a letter this morning from a party offering to take hold and see what they could do; I am also in correspondence with Canadian people to take the product; I am informed that they sell at from three dollars and fifty cents to six dollars a dozen; a man can make half a dozen a day, and that is quite an earning.

Q. That would employ forty men; is that the only industry you have introduced? **A.** No, sir; I am negotiating with parties as to caning chair seats; this work is wholly done in prisons.

Q. And also done in a good many of the charitable institutions of the State? **A.** Yes, sir; I don't know of any that are made by free labor in this State; here is a sample one here; those were made by Vermont parties for export entirely; not to be used in this country at all; I have not closed a bargain with them because we differ a little as to figures; if I can get them to my terms, I will probably put a lot of men on that industry.

Q. How many should you think you could employ on that? **A.** I should think that I could put about sixty men on that; men who are now absolutely not earning a cent for the State for the reason that they are not physically able to do work on the scoops, or to work in the factory on account of bad eyesight, age, or crippled limbs—these men could work on this caning work; I could probably put sixty men at it—perhaps more.

Q. That would be an estimate of 100 of the men here; have you made any changes in the shirt and laundry manufacturing industries here; are you still going on with those industries? **A.** Yes, sir.

Q. For whom are you making the shirts? **A.** For the State.

Q. Who is disposing of the product? A. J. A. Emerson, of Warrensburgh.

Q. The same agent as for Mr. Fuller? A. Yes, sir.

Q. The same relations are sustained towards the prison in every way? A. Yes, sir.

Q. And the same set of books is kept as we examined before? A. Yes, sir.

Q. What other industries do you intend to establish? A. I am looking into the manufacture of cheap trunks, which are not made in this State, except by one firm in Rochester — one firm, I believe it is Likely & Co., of Rochester; those trunks are mostly made in New Jersey; very few made in this State.

Q. How many would you employ in that? A. I can't tell yet whether I would employ any, as I don't know whether it would be remunerative; I am simply feeling my way.

Q. You have read carefully the provisions of the statute regarding the labor of prisons? A. Yes, sir; I can not employ more than five per cent of free labor on any one industry.

Q. How many are employed to-day in all the industries of the prison? A. Three hundred and twenty-seven, yesterday.

Q. How are they employed — in what way? A. Manufacturing corsetcovers, eighteen men at that; manufacturing shirts, sixty-one men at that; manufacturing boys' waists, 198 men at that; manufacturing ladies' waists, forty-one men at that; manufacturing ladies' night robes, nine men at that.

Q. How many are employed on general work of the prison — like the blacksmith shop and carpenter shop? A. I have not got a carpenter shop; I am employing some men at carpenter work in the basement of my hall there — perhaps a dozen.

Q. Are you employing outside labor for that or prison labor? A. Prison labor.

Q. Have the same foremen been kept in the shops? A. Yes, sir.

Q. Hired by Mr. Emerson? A. No, sir; by myself.

Q. Any change in that respect? A. No, sir; I have retained the men that Mr. Fuller had in the blacksmith shop; we have

some tinsmiths as well; I have got probably eight men in the blacksmith shop.

Q. Those are all the men you have working at trades are the men—the carpenters working at your house and the blacksmiths and tinsmiths? A. I have got a printer, a book-binder, an engraver; those are the only men working at trades.

Q. How many hall men or attendants are you employing now—what proportion? A. I can not tell exactly as to that because we are whitewashing and cleaning all our halls, and we have a large gang employed at that; I have to-day eight men out with a keeper cutting wood for those scoop shovels; some men shoveling snow around and cleaning up generally; I have thirteen men in the boiler-house taking care of the boilers, coal, etc.

Q. Will you tell me if you have in your employ to-day in any capacity in the prison any of the following men: Guard Cassidy?

A. No, sir; Guard McGrath? A. No, sir; Keeper McGowan? A. Yes, sir; Keeper Conway? A. No, sir; Guard Feehan? A. Yes, sir.

Q. Are you aware that the commission appointed by the Superintendent of State Prisons to investigate certain matters at Clinton prison has concluded such investigation and made its report? A. Yes, sir.

Q. Were you requested by the superintendent to discharge the men whose names I have just called? A. Yes, sir.

Q. Will you kindly tell me why you have not discharged Keeper McGowan? A. Because at the present time I have absolutely no man to take Mr. McGowan's place at the factory, and I would be crippling myself if I removed him until I can find a man that can supply his place.

Q. And about Guard Feehan? A. The same explanation applies to both these men.

Q. Is Keeper Lewis still here? A. Yes, sir.

Q. Tell me if you have formally reprimanded these men as provided in the report? A. Yes, sir; and in connection with that I have served each officer of the prison with a copy of those rules issued by the superintendent.

Q. You have handed me a paper called "Rules and Regulations for the Guidance of Keepers and Guards and Employes of State Prisons in the State of New York?" A. Yes, sir.

Q. Issued by whom? A. By the Superintendent of Prisons.

Q. What have you done with it (marked exhibit B)? A. I have served a copy on every officer of the prison.

Q. Have you given any other instructions to the officers of the prison? A. Yes, sir; I issued this pamphlet which I show you, being the rule contained in the book (exhibit B) in regard to the use of intoxicating liquors; I had that printed and circulated separately in order to call special attention to it.

Q. Have you discharged any keepers since you have been here? A. No, sir; I have retained the old force that Mr. Fuller had here to a man except those that the commission recommended to be discharged.

Q. What punishments have been administered since your wardenship? A. The dark cell and screen cell and short time.

Q. You speak of the dark cell; what are your rules regarding punishment in the dark cell? A. A man is put in the dark cell for violation of prison rules and confined there as long as the warden or keeper thinks he merits, unless the doctor directs or recommends his being taken out; the doctor visits him daily to see as to his health and general condition, and thus far he has had no occasion to recommend anyone being taken out.

Q. What are the rations? A. Four ounces of bread and a gill of water per day.

Q. Are these men generally, so far as your observation goes, without looking at the books, punished for failure to do their work or for violation of prison rules? A. I have not punished a man for failure in doing work since I have been here.

Q. Has the standard of work been the same as before—the eight hour standard? A. Yes, sir.

Q. Have you allowed men to work in the cells? A. No, sir.

Q. What provisions have you made for the religious and moral instruction of the men? A. I have made no provision, for the want of a chapel and school-room, and because all the time I

have been here the chaplain has been ill; as soon as our chapel is completed the religious services and school will be inaugurated.

Q. Have you got the same chaplain? A. We have at present, but he has resigned and a new chaplain will be employed next month.

Q. The appointment is practically made then? A. Yes, sir; by the superintendent; his name is Anson Cheeseman.

Q. On whose recommendation is that? A. I couldn't tell you; I am simply informed that Anson Cheeseman has been appointed.

Q. Do you know his politics? A. I do by hearsay; I understand he is Republican; that is the rumor.

Q. Do you know the politics of Mr. Grant, the retiring chaplain? A. Democratic.

(Mr. Thayer afterwards makes further statement to the following effect.)

In addition to complying with the recommendations of the board in the employment of those men I issued a general order which I submitted to you awhile ago, and which is as follows:

"To all officers of Clinton prison:

"I am directed to notify each officer of the prison that swearing at or using obscene language to convicts will be considered sufficient cause for dismissal.

"I may add that brutal or inhuman treatment of convicts by officers will not be tolerated. An officer should never strike a convict unless in defense of his own person, or that of a brother officer, or in quelling an insurrection. If a convict deserves punishment, the warden or principal keeper are the proper authorities to administer it.

"Respectfully,

"WALTER N. THAYER."

Q. What steps have you taken to comply with the recommendation of the commission to provide better means for communication between the convicts and the warden? A. I have directed every officer in the prison to receive any verbal or written request from any convict to interview me and to present

that request to me on the same day he receives it; if convenient for me, I see the convict at once; if not, I consider the request on the following Sunday; last Sunday we interviewed fifty-four prisoners; there has not been a single Sunday since I have been here but what we have had any less than thirty.

Q. What are the nature of the complaints or things that they want? A. There are very few complaints; they are principally requests for little favors.

Q. Like what? A. To be permitted to subscribe for papers, for books; to have extra letters written; and in a few instances to be transferred to other prisons that they may be nearer their relatives; to be taken out of the shop; to exercise; for work by those who are idle, to give them employment instead of keeping them locked up in their cells; then, I have had a petition from the prisoners in the large prison — containing 538 prisoners — requesting me to hold religious services on Sunday, and to permit the band to play every Sunday morning; that I granted; they represented that it was a long time from Saturday night until Monday morning locked in the cells, so that every Sunday morning the band plays in the hall for the pleasure of the convicts.

Q. Is it possible for any prisoner to get a communication to you except through the hands of a keeper? A. No, sir; except when I pass through the prison, a prisoner can ask his keeper to leave his place and stop right there and speak to me; I hardly ever go through the factory but some prisoner stops us and speaks to me.

Q. That might be prevented by the keeper refusing to let him leave his place? A. Yes, sir.

Q. Supposing a convict had a reasonable complaint against a keeper, how could he convey it to you? A. By sending a communication to me, either verbal or written, through the keeper; then, I bring them here and hear what they have to say; there is no one present but my stenographer and myself; I make minutes of what they want and comply with their requests when possible; I have also adopted the recommendation of the board by keeping a prison diary of everything that occurs in the prison.

Q. Will you kindly let me see it? A. Yes, sir. (Produces it.)

Q. This book is what? A. The daily record of the prison; marked exhibit D.

Q. Who is it kept by? A. By the stenographer; the keepers are instructed to report everything that transpires in their departments to the warden, and the diary is made from that.

Q. I see there are some punishments recorded here in addition to the other cases — complaints, etc.; is there any other record of punishments kept than this? A. Yes, sir.

Q. In your regular punishment book which was brought before the commission? A. Yes, sir.

Q. This is solely, as I understand it, a book of where the cases come under the personal supervision of yourself or the principal keeper? A. All cases of punishment come under the supervision of either one of us.

Q. Are those men brought before you here? A. No, sir; if an offense is committed by a convict, he is brought to the guard-house, and I or the principal keeper go over there and investigate; if it is a case of a man failing to do his work, I have made it a rule that no one shall punish him except myself; I don't let even the principal keeper have any responsibility of that kind at all; I run the factory; if there is a breach of discipline the principal keeper will attend to it.

Q. What proportion of the time do you spend here, Mr. Thayer; take a month, or any time, for instance? A. I am probably away from the prison four days a month; two days at the warden's meeting, and possibly during the middle of the month I may be called down again; I have been away four days this month; I might speak right here of an outline of a plan I am attempting to put in execution in the prison; it is in relation to factory work; I have been looking over the records of the prison under my predecessor and find that a great many of the men had been punished for not doing their work; I thought possibly that some of these men were punished when they couldn't do their work — inexperienced men, perhaps; I thought I could avoid that by estab-

lishing a school down there at the factory, and I have established it; there new men will be taught to do the work, with no task required, and they will not be put on the regular class and assigned a task until they have reached that task that the other prisoners are doing.

Q. In other words, they will serve an apprenticeship? A. Yes, sir; I thought that would have a beneficial effect, and I have adopted that plan; when one of the old hands is discharged by expiration of sentence, I draft from the school to take his place and not take on a new man.

Q. How long have you had that in operation? A. Started it this week.

Q. You can hardly tell yet how it is going to work? A. No, sir; then I have in view, and have consulted with my officers as to the propriety of it, on every pleasant day as soon as spring arrives of taking on one day of the week the lower floor of the factory at a certain hour that day when they can have all finished their work, and letting these men out to exercise on the ground; give them an hour or two in the fresh air; the following day I will take the next floor, and the third day take the top floor of the factory; that will give each floor two days a week in the yard to exercise after they have completed their day's work; and there is no man in the factory who can not do his task by 4 o'clock in the afternoon; some of the men get through now at 11 and 12.

Q. Then you would make that an inducement for the men to get their work done properly and well and on time? A. Yes, sir; and also, on consultation with the doctor, I am led to believe it will have a beneficial effect on their health by giving them exercise outdoors.

Q. Have you ever thought of a military drill? A. I have thought of it in this connection: I propose, as soon as we are completed here, organizing a fire department; I have asked for an appropriation for a hose cart; I have a hose; possibly we may get a hook and truck; we haven't a ladder on the ground; we could organize a fire department, and drill the men thoroughly at it, and use the military drill in connection with that.

Thomas McCormick, duly sworn, says:

Q. Where did you live before you were appointed keeper here?

A. Lansingburgh; I worked on the railroad as a conductor.

Q. Have you ever had any experience in prison life before you were appointed? **A.** No, sir.

Q. On whose recommendation were you appointed? **A.** Hon. Edward Murphy.

Q. How long before you got your appointment was it promised you? **A.** It was about a week.

Q. What are your politics? **A.** I am a Democrat.

Q. Have you ever rendered any political service to Mr. Murphy? **A.** No, sir; none whatever.

Q. Who suggested that you could get an appointment here? **A.** Myself.

Q. How long have you known Mr. Murphy? **A.** I don't know Mr. Murphy, except to know him by sight.

Q. Have you ever had any conversation with Mr. Murphy about your appointment here? **A.** No, sir.

Q. Did anybody write any letters for you to Mr. Murphy, asking him for your appointment? **A.** No, sir; I had a gentleman go to him.

Q. Who was that? **A.** Mr. Cavanagh; keeps a cigar store in Congress street, in Troy.

Q. Have you ever rendered any political service to Mr. Cavanagh? **A.** No, sir.

Q. Have you any position in any political club? **A.** No, sir; don't belong to any at all.

Q. What kind of an examination were you put through in getting your appointment here? **A.** Not any.

Q. Was it intimated to you that you would be obliged to undergo an examination? **A.** No, sir.

Q. Have you ever held any employment under the State before?

A. Not for the State; I have for the United States.

Q. What appointment? **A.** In the government printing office.

Q. What is your trade? **A.** I first learned stove mounting.

Q. Do you belong to any trades union? **A.** No, sir.

Q. What did you do in the government printing office?
A. Worked in the stereotype department.

Q. What instructions did you receive from the warden here as to your duties? A. To go on relief duty.

Q. Are you employed every day at the prison? A. Every day.

Q. What are your habits in regard to the use of intoxicating liquors? A. I don't use them to excess.

Q. Do you use them at all? A. Yes, sir.

Q. What are your habits in regard to the use of profane language? A. I don't use any.

Q. Have you ever sworn at a prisoner since you have been here?
A. No, sir.

Q. Have you ever heard any other officer do so? A. No, sir; I haven't been here long.

Q. How long have you been here? A. Since the eighth of February last.

John Macksey, duly sworn:

Q. What is your age? A. Twenty-three.

Q. How long since you were appointed keeper in Clinton prison? A. Fifth of February last.

Q. Where did you reside before you received the appointment?
A. Norwich.

Q. On whose recommendation were you appointed? A. That of General Austin Lathrop.

Q. Who recommended you to Mr. Lathrop? A. Mr. Babcock; he sells pianos and organs in Norwich.

Q. What are your politics? A. Democrat.

Q. What are Mr. Babcock's politics? A. Democrat.

Q. Were you appointed as a reward for political services? A. No, sir.

Q. Have you ever rendered any political service to Mr. Babcock? A. No, sir.

Q. Did you vote at the last election? A. Yes, sir.

Q. Do you belong to any political club? A. No, sir.

Q. Who suggested to you that you could get the appointment?
A. I asked Mr. Babcock.

Q. Is he a personal friend of yours? A. No, sir.

Q. Why did you ask Mr. Babcock? A. I wanted a position and thought I would try to get one.

Q. What claim did you think you had on Mr. Babcock to help you to get this position? A. Not any.

Q. Do you know of any other man applying to Mr. Babcock for a position? A. No, sir; I do not.

Q. Did you expect to get the position on account of your political affiliations? A. No, sir; I did not.

Q. What recommendation had you besides Mr. Babcock's? A. That is all.

Q. What are your habits as to the use of intoxicating liquors? A. I don't use them.

Q. What is your duty in the prison? A. Guard.

Q. What instructions did you receive on taking your position—who told you what your duties were? A. The warden.

Q. What did he tell you they were? A. That I would have to go on relief; take care of the prisoners.

Q. How often do you go on relief? A. Every day.

Q. Have you heard any profane language used since you have been here? A. No, sir.

Q. Have you seen any keeper or guard intoxicated? A. No, sir.

Q. Do you live inside or outside? A. Outside.

Q. Have you seen any guards or keepers of the prison under the influence of liquor outside of the prison? A. No, sir.

Q. What part, if any, besides being a voter, did you take in the last election in your town? A. Not any.

John Wood, being duly sworn, says:

Q. What is your age? A. Thirty-three years.

Q. How long have you been a keeper in this prison? A. Six weeks ago.

Q. Keeper or guard? A. Guard.

Q. What was your residence before your appointment? A. Buffalo, N. Y.

Q. What was your politics? A. Democrat.

Q. On whose recommendation did you receive your appointment?
A. Lieutenant Governor Sheehan.

Q. How long before you received your appointment did you apply to him? **A.** About a week.

Q. Did you know him for a considerable time before that? **A.** I was born and raised in the same ward with him.

Q. Did he promise you any reward or appointment for political services? **A.** No, sir.

Q. What political service did you render in the last campaign?
A. Didn't render any whatever.

Q. Did you ask for an appointment on political grounds? **A.** No, sir.

Q. Did you expect to get it on account of any political service you had rendered at any time to the party? **A.** No, sir.

Q. What are your habits as to the use of intoxicating liquor?
A. Don't drink any.

Q. As to swearing? **A.** I don't swear, except very seldom.

Q. Have you ever heard any one swear at prisoners in this prison? **A.** No, sir.

James Jennings, sworn:

Q. How old are you? **A.** Thirty-seven.

Q. What is your position here? **A.** Guard.

Q. How long have you been in that position? **A.** Three months.

Q. Where was your residence? **A.** Corning.

Q. On whose recommendation were you appointed? **A.** The superintendent, General Lathrop.

Q. What are your politics? **A.** Democrat.

Q. What services have you rendered to the Democratic party that made you think you would get an appointment here? **A.** Not any.

Q. Did you vote at the last election? **A.** Yes, sir.

Q. Are you a member of a political club? **A.** No, sir.

Q. Have you had any prison experience before? **A.** No, sir.

Q. How long before your appointment did you apply for it? **A.** About a year.

Q. Was it promised you then? **A.** No, sir.

Q. Had you any reason to believe that you would receive the appointment on account of any political service you ever rendered? A. No, sir.

Q. What was your occupation before you were appointed? A. News agent at Corning.

Q. What are your duties here? A. Guard.

Q. Do you drink intoxicating liquors? A. Occasionally.

Q. What are the rules of the prison as to the use of intoxicating liquors? A. That we must not drink.

Q. Do those rules apply to people outside or inside? A. Both.

Q. What are your habits as to the use of profane language? A. Don't use any.

Q. Have you ever heard any used at prisoners while you have been here by keepers or guards? A. No, sir.

Q. What are your duties? A. I am in the potato cellar sorting potatoes.

Q. That is your regular employment? A. That has been for the last six weeks or two months.

Q. How many men working under you? A. Six.

Q. Have you reported any of them for not doing their work? A. No, sir.

Q. Any of them punished while under you? A. No, sir.

Thomas F. Ormsby, sworn:

Q. Where do you reside? A. Troy, N. Y.

Q. How long have you been a keeper in this prison? A. Came here last Friday.

Q. On whose recommendation did you receive your appointment? A. I didn't have anybody recommend me; I wrote to Mr. Thayer; I was acquainted with him when he was foreman in the Troy Press office.

Q. What are your politics? A. I have always been a Democrat.

Q. What special political services have you ever rendered to Mr. Thayer that made you think you could get an appointment here? A. Not any at all; I have always been a Democrat and voted the Democratic ticket.

Q. Was any position promised you at any time? A. No, sir.

Q. Did you have any other recommendation? A. No, sir.

Q. Mr. Thayer had known you for some time? A. Yes, sir.

Q. Do you know Mr. Murphy? A. Not personally.

Q. Are you a member of any political club? A. No, sir; the only organization I belong to is the molders' union and fire department.

Q. How long had you been employed under Mr. Thayer before you came here? A. Never; I am a molder by trade.

Q. How long have you known Mr. Thayer? A. Known him four or five years.

Q. What are your habits as to the use of intoxicating liquors? A. I take a glass of ale once in a while, but not to get intoxicated.

Q. What are the rules of the prison in regard to the use of intoxicating liquors? A. They are strictly forbidden.

Q. Does that apply to the outside as well as inside? A. I believe it does.

Q. Then in taking intoxicating liquors outside the prison you are breaking the rules? A. I have not touched any since I read the regulations.

Q. How about profane language? A. I don't use much of that.

Q. Have you heard any profane language used at prisoners since you were here? A. No, sir.

Q. What are your duties? A. I am an extra guard; relief guard.

Edward W. Crum duly sworn:

Q. What is your residence? A. Lyon Mountain.

Q. How long since you received your appointment in this prison? A. About two months.

Q. What are your duties here? A. Relief guard.

Q. On whose recommendation did you receive your appointment? A. Couldn't tell you.

Q. How did you get it? A. Applied to Mr. Thayer.

Q. What are your politics? A. Democrat.

Q. Did you make your application on the strength of any political services you had rendered? A. No, sir.

Q. Did you expect to get an appointment on account of any political service? A. No, sir; I made application at this office to Mr. Thayer.

Q. What recommendations did you bring? A. Couldn't tell you.

Q. Did you have any recommendations? A. Not that I know of.

Q. Were you known to Mr. Thayer? A. Yes, sir; and to Mr. James P. Cunningham, who keeps a store here in the village.

Q. What are Mr. Cunningham's politics? A. Democratic.

Q. What reason did Mr. Cunningham give you for thinking that you would get the position? A. I thought I wasn't making a decent living at the mountain, and thought I might do better here if I could get in.

Q. You asked Mr. Cunningham to recommend you? A. No, sir; he came in with me and made me acquainted with Mr. Thayer, and I asked him for the position.

Q. Do you belong to any political organization? A. No, sir; I joined a political club here last week, the Jeffersonian; I signed for it, but don't know whether I am a member or not.

Q. What are your habits in regard to the use of intoxicating liquors? A. I do sometimes take a drink of whisky or beer.

Q. Have you taken any since you have been appointed to this position? A. No, sir.

Q. Either outside or inside? A. No, sir.

Q. What are your habits as to swearing? A. I never do.

Albert Thayer, duly sworn:

Q. Where do you reside? A. Gloversville.

Q. When were you appointed? A. March seventh.

Q. What relation are you to the warden? A. Brother.

Q. What are your politics? A. Democratic.

Q. On whose recommendation did you get your appointment?
A. Nobody's; I wanted a job and I wrote him and he gave it to me.

Q. What had been your employment before that? A. Running a sewing machine.

Q. What are your habits regarding the use of intoxicating liquors? A. I don't use any.

James Moon, sworn:

Q. How long have you been an officer of this prison? A. I commenced duty the first day of February, 1876; I was keeper.

Q. Since you have been an officer of this prison have you known any men to be appointed as officers or guards on political grounds? A. They were all appointed on those grounds at that time; I was appointed on political grounds.

Q. Have you known of any such appointments since the law of 1889—the present Prison Law? A. Not to my knowledge.

Q. You have been here and have had an opportunity to observe the conduct of the keepers appointed under Mr. Thayer? A. Yes, sir; been here pretty much all the time except about three weeks in January when I was sick; then I was absent last week all week; all the rest of the time I have been at the prison.

Q. Will you tell me your opinion as to the efficiency of Thomas McCormick? A. Well, sir, I should think that he would make a rather good prison officer; appears to be a bright, active, intelligent fellow and quiet.

Q. And John Woods? A. I have seen nothing out of the way with him; appears to be of good habits.

Q. And Guards Macksey, Jennings, Thayer, Crum and Ormsby? A. They are all pretty nice sort of fellows.

Q. Have any of those men been known to you to have broken any point of discipline? A. Not intentionally; they might make some mistakes at the start; new officers will sometimes.

Q. What are your politics? A. Democratic.

Q. There is a public rumor that you have sent in your resignation? A. Well, there might be some truth in that (this is not to be made public).

Q. Was any pressure brought to bear on you to get you to make your resignation? A. No, sir; it was of my own free will, on account of my health mostly.

Q. Are you in perfect political affiliation with the warden here?
A. Yes, sir; for anything that I know of, all friendly and all right.

Q. Do you know of any men that have been removed on account of their political affiliations? A. I do not.

Q. Or been lowered in their standing as officers in any way since Mr. Thayer came here? A. No, sir; I do not.

Q. Do you know of the investigation made by the commission appointed to investigate Clinton prison in 1891? A. Yes, sir; I know it very well.

Q. Do you know whether the recommendations of that commission have all been complied with? A. Well, I don't know as they have as yet.

Q. Was the first recommendation as to the dismissal of keepers complied with? A. Some of them are here that were recommended to be discharged.

Q. What punishments are in vogue here now? A. Nothing but solitary confinement and taking off short time.

Q. What changes have been made in the labor of the prison under the present warden? A. I don't know as there has been any that amount to much; I believe they have commenced to make ladies' waists and boys' waists; they are making scoops too; he has one or two more industries under consideration.

Q. The seventh recommendation of the commission provides that the warden should provide ample means for the convicts to communicate their complaints to him? A. That has been complied with strictly.

Q. Has the warden established a box for complaints or anything of that kind? A. No, sir; hasn't established any box.

Q. Do you know of any case where a convict has tried to get access to the warden and could not do so? A. No, sir; we interviewed fifty last Sunday.

Q. Does he appoint a regular time for those interviews? A. He has different days whenever his other duties will allow him spare time; if he has no time during the week he hears them on Sunday.

Q. You are familiar with the Prison Law of the State, are you? A. I used to be more so than I am now; this law I don't know so much about; I have read the present law.

Q. Have you seen a disposition on the part of the present administration to comply with its provisions? A. Yes, sir; I have.

Q. What is your opinion of the discipline and order of the prison now compared with its condition four months ago? A. Well, I don't know as there is much difference; I couldn't say as there was; the discipline has been run down since we had the fire and when the investigation started off it ran down still further; our discipline is not up to the standard it was a year or two ago.

Q. Do you know the chaplain of this prison, Mr. Grant, well? A. Yes, sir.

Q. Have you heard that his resignation has been tendered? A. Yes, sir.

Q. Have you heard any rumor that his resignation was asked for? A. Yes, sir; I heard so.

Q. Have you heard that it was asked on political grounds? A. No, sir.

Q. What grounds have you heard it was asked upon? A. Can't say what it was asked upon; I didn't hear the reasons, only that he was asked to resign.

Q. What is the proportion of punishment now compared with the old system? A. We have not punished quite so much.

Q. How many have you punished for failure in work? A. Not but a very few.

Q. Have you punished any for failure in work? A. I couldn't say whether I have or not; seems to me I have; I think I have punished one or two.

Q. What proportion of the men in the prison are working now? A. I should say there was about half of the men — about 400.

Horace L. Grant, duly sworn:

Q. What is your position in this prison? A. Chaplain.

Q. How long have you been chaplain? A. I was appointed by the superintendent the 1st of January, 1890.

Q. There is a public rumor that your resignation has been tendered as chaplain? A. That is true.

Q. What are your politics? **A.** Democrat from away back.

Q. On whose recommendation were you appointed? **A.** On the recommendation of my friends in the counties of Washington, Montgomery, Clinton and Essex.

Q. Were you appointed on the ground of any political service you rendered? **A.** No, sir; not that I know of; Mr. Weed was my schoolmate friend, and he was a prominent person in the request for my appointment.

Q. He was the most prominent? **A.** I think very likely on account of his influence.

Q. You relied more on Mr. Weed's influence than on any other? **A.** Yes, sir.

Q. When does your resignation take effect? **A.** The fifteenth of April.

Q. Will you state the circumstances under which your resignation was made? **A.** Mr. Thayer, the warden of the prison, called on me on the fourth of March; of course, there was nothing written, and I trust to my memory of the conversation; I was preparing to go to New York to purchase some books for the library here, and I had set the date of the seventh of March as the day I should go down; the warden came up from Albany on a Friday morning, the fourth of March, I think; he came and saw and said he was desired, through the superintendent, to ask for my resignation to take effect the fifteenth of April, or between the fifteenth of April and the first of May, I think it was; it was a verbal request delivered by the warden that my resignation be tendered to take effect between the fifteenth of April and the first of May; and accordingly that very day I mailed my resignation.

Q. Were you made to understand in that conversation that it was on political grounds that that was done? **A.** No, sir; Mr. Thayer was kind enough to express his personal sympathy and regard, and so, through Mr. Thayer, that of the superintendent himself; it was not on personal grounds.

Q. Do you believe your resignation to have been asked for on political grounds? **A.** No, sir; it could not have been so; I

was in accord with the administration and did all in my power to effect the election of Mr. Flower as Governor, and I certainly was in accord with our Senator, Mr. Hill, and the party generally; Mr. Weed is my personal friend—we were schoolboys together, yet I am a man of sufficient brains to put my party above a man in such a matter; if you want my opinion, I think simply that the man who is to succeed me is a man who has a “pull” somewhere that secured him the place; I simply think that he had a greater political pull than I had, which enabled him to take the position.

Q. What is the name of your successor? A. His name is Anson Cheeseman, of Madison county.

Q. Do you know what his politics are? A. I do not; no, sir.

P. H. Cooney, sworn.

Q. Where do you reside? A. Malone.

Q. How long have you been an officer in this prison? A. Since the sixth of January.

Q. What is your position here? A. Guard.

Q. What are your politics? A. Democrat.

Q. How did you receive your appointment? A. Through Mr. John Keely, of Malone; he wished me if I would take the place if I could get it and I was out of a job at the time and I told him I would; I had been working on the railroad and had been laid off with some others; he said, “Maybe there will be a vacancy and I will get you appointed.”

Q. Do you know Mr. Keely’s politics? A. I think he is a Democrat.

Q. Had you rendered any political service to Mr. Keely that made him promise you that? A. No, sir.

Q. Did you promise him any political service in any way? A. No, sir.

Q. You consider yourself perfectly unbound so far as that is concerned? A. Yes, sir.

Q. What are your habits in regard to the use of intoxicating liquors? A. Don’t use them.

Q. How about swearing? A. I don’t make a practice of it.

Q. Have you heard any profanity used in the presence of convicts since you have been here? A. No, sir; I can't say that I have.

P. H. Dugan, duly sworn:

Q. How long have you been an officer of this prison? A. Three years the third day of April.

Q. Where was your residence before you came here? A. Whitehall, Washington county.

Q. What are your politics? A. Democratic.

Q. On whose recommendation were you appointed here? A. Well, John W. Whalon, Sylvester Mahan, James H. Shanahan, John Turner.

Q. Was your appointment made as a reward for political services in any way? A. No, sir.

Q. Was it held out to you that the appointment was because you had rendered such services in the past? A. No, sir; they asked me if I wanted to go to Dannemora, and I said I did; that was all there was about it.

Q. What relation did you sustain to these men in the last election; did you take an active part in politics? A. No, sir; I was in the yard doing duty all day.

Q. And the election before that? A. The election before that I had to go home to vote; I was no voter here.

Q. Are you a member of any political organization besides the party itself? A. I belong to the Jeffersonian Club here; nothing outside of that; I belong to the Burleigh corps in Whitehall — State militia.

Q. What are your duties here? A. Little of everything; been on the wall for about two years, been on the gate for a while.

Q. Has any pressure ever been brought to bear on you in a political way since you have been here? A. No, sir; not at all.

Joseph F. Nash, sworn:

Q. What is your occupation? A. Prison officer.

Q. What was your residence and business before you became a prison officer? A. I was a farmer two miles from here.

Q. By whom were you appointed, Mr. Nash? A. I was appointed under Superintendent Pilsbury.

Q. What are your politics? A. Republican; I was appointed in February, 1881.

Q. Mr. Nash, have you known of any appointment being made here, or heard of any being made as a reward for political services under the present or late administration? A. No, sir.

Q. What instructions have been given to you regarding the use of intoxicating liquors, etc., under the present warden? A. We are strictly forbidden the use of intoxicating liquors of any kind under penalty of removal.

Q. Has that prohibition been carried out and observed by the officers? A. As near as I can find out it has.

Q. In your opinion, for the past few months, how does the present administration compare with the old for discipline? A. As far as I can see there is some improvement in the discipline.

Q. Do you think there is a better spirit of content than there was? A. Yes; I think there will be after things get settled.

G. W. Storrs, sworn:

Q. What is your present position in the prison? A. Guard.

Q. When did you receive your appointment? A. About two years ago.

Q. How did you happen to get the appointment? A. I got it through Mr. Fuller.

Q. To whom did you apply for it? A. To Mr. Fuller.

Q. What recommendations did you have for the appointment? A. Mr. Weed.

Q. Did you consider your appointment a reward for political services? A. No, sir.

Q. What are your politics? A. Democratic.

Morgan Van Gorder, duly sworn:

Q. What is your position here? A. I am keeper now.

Q. You have been promoted under the present administration? A. Yes, sir.

Q. You have been a guard here for some time? A. Nearly six years.

Q. What are your politics? A. Democratic.

Joseph Robarge, sworn:

Q. What is your position here? A. Keeper.

Q. How long have you been keeper? A. Since the fourth day of January.

Q. What was your position before that? A. Guard.

Q. When were you appointed guard? A. I was appointed guard in 1888.

Q. What are your politics? A. Democratic.

John W. O'Leary, duly sworn:

Q. What is your position here? A. Guard.

Q. When did you receive your appointment? A. The 24th of March, 1889.

Q. What are your politics? A. Democrat.

Fred Glazier, duly sworn:

Q. What is your position? A. Guard in the hospital.

Q. How long have you held that position? A. I think I went there the twentieth of January, this year.

Q. You were appointed by the present warden, Mr. Thayer? A. Yes, sir.

Q. How did you receive your appointment? A. I had a farm in Lewis county, and I let it and was looking out for some job.

Q. What are your politics? A. Democratic.

Q. Who suggested this place to you? A. I was sent here by David B. Hill.

Q. Did you apply to the Governor for the position? A. I did not; no, sir.

Q. Did anybody apply for you? A. I suppose so.

Q. Who applied for you? A. Mr. G. H. P. Gould.

Q. Was your appointment made as a reward for political services? A. No, sir.

Q. What examination did you undergo for the position as guard here? A. Not any.

Q. Have you undergone any examination since you came here? A. No, sir.

Q. What qualification did you urge for your appointment? A. Not any.

Q. What are Mr. Gould's politics? A. Democratic.

Q. Did you go to him because he was a Democrat? A. Not particularly; I was acquainted with him; had known him for a number of years.

Q. Did you render any political service in recent campaigns that made you think you could get a place under this administration? A. Not particularly that I know of; I have always voted my ticket.

Q. You did not in any sense consider your appointment a reward for political services? A. No, sir.

Q. What are your habits in regard to the use of intoxicating liquors? A. I don't use them.

Q. How about swearing? A. I once in a while swear.

Q. Do you swear at convicts sometimes? A. I try not to; I don't know of any instance where I have.

Q. Have you heard any swearing at convicts here? A. I don't remember of any.

John Dornier, duly sworn:

Q. What is your position in this prison? A. Keeper.

Q. What is your former residence? A. Corning.

Q. When did you receive your appointment? A. I think it was in October, 1889.

Q. In what way did you receive it? A. Through General Lathrop.

Q. What are your politics? A. Democrat.

Q. Did you receive your appointment as a reward for political services in any way? A. Not that I know of.

Q. Who gave you a recommendation to General Lathrop? A. He has known me all my life.

Henry W. Burnham, sworn:

Q. What is your position here? A. Keeper.

Q. Where did you reside before coming here? A. In the village of Saranac, in this county.

Q. How did you happen to get appointed? A. A friend came here and saw Warden Fuller and got me the appointment.

Q. What are your politics? A. I am a Democrat.

Q. Did you get your reward for political services in any way? A. No, sir; I applied to Mr. Riley and passed a civil service examination.

Q. Was the question asked you whether you were a Republican or a Democrat when you were appointed? A. No, sir.

Q. Was the gentleman who recommended you a Republican or a Democrat? A. A Democrat.

Q. Do you think he recommended you as reward for political services in any way? A. No, sir; I have no reason to think that.

Q. Was he an old friend of yours? A. Yes, sir.

J. Frank Keenan, sworn:

Q. What is your position here? A. Keeper.

Q. Where do you reside? A. In the village here.

Q. How long ago is it since you received your first appointment here in this prison? A. Four years ago last July.

Q. What are your politics? A. Democratic.

Cornelius Johnson, sworn:

Q. What is your position here? A. Guard.

Q. How long since you received your appointment? A. A year ago the twenty-fifth of April.

Q. Where did you reside before you came here? A. Troy.

Q. How did you happen to get your appointment here? A. I was recommended by Mr. Murphy.

Q. Are you a Democrat or a Republican? A. Democrat.

Q. Who suggested the appointment to you? A. I applied for it to a friend of mine in Troy. (Names Thomas Kelly, a Democrat.)

Q. What was your occupation before you came here? A. A shoemaker.

Q. Did you make application on the ground of political services? A. No, sir.

Q. Had you any reason to believe that your place was given you as a reward for political services? A. No, sir.

Q. Did Mr. Murphy give you a letter to Superintendent Lathrop? A. No, sir; he did not; he gave me a letter to Mr. Fuller.

Q. Did that letter state anything about your politics? A. No, sir; not a word; he recommended me as sober and industrious, and that he could rely on me.

Q. How long had he actually known you? A. I went to school with him; brought up with him.

Q. What are your habits in regard to the use of intoxicating liquors? A. Don't touch anything at all; haven't for a long time.

Q. Have you ever sworn at a prisoner here? A. No, sir; never.

Q. Have you ever heard anyone swear at a convict here? A. I don't remember of any such cases.

Q. Have you witnessed any cases of punishment since you came here? A. Yes, sir; same as I swore to on the investigation; my testimony is in the report of the commission.

Daniel Behan, sworn:

Q. What is your position here, Mr. Behan? A. Guard.

Q. Where did you reside before you were appointed? A. Plattsburgh.

Q. What was your occupation before you were appointed? A. Farmer; appointed eight or nine months ago.

Q. On whose recommendation were you appointed guard? A. I was appointed under Mr. Fuller; recommended by Mr. Weed and others.

Q. Were you appointed as a reward for political services? A. I think I was.

Q. What are your habits regarding the use of intoxicating liquors? A. Very seldom use them.

Q. Have you used any intoxicating liquors since the new order went out? A. No, sir.

Q. Have you ever sworn or heard any swearing in the presence of convicts? A. No, sir.

Q. Have you seen any punishments since the investigation? A. The dark cellar only.

John L. Marsden, sworn:

Q. Where did you reside before you were appointed here? A. Schenectady, N. Y.

Q. Your position is that of a guard here? A. I was at that time; have been promoted.

Q. When did you receive your appointment? A. In November, 1889.

Q. Who recommended you for the appointment? A. The Hon. Edward Wemple.

Q. What are your politics? A. Democratic.

Q. What was your occupation before appointment? A. Boiler maker.

Q. Was your appointment made as a reward for political services? A. Not that I know of.

Q. Did you personally know Mr. Wemple? A. Yes, sir.

Q. Have you known him for a long time? A. Yes, sir.

Q. Had you rendered him any political service? A. Not any more than I had others on the same ticket by my vote.

Q. Did you make application on the ground of being a Democrat? A. No, sir; I did not.

Q. What made you think you were peculiarly fitted for a position here? A. Because I had previous experience at Sing Sing in the same position; I was five years there.

J. H. Laper, sworn:

Q. What is your position here? A. Guard.

Q. When appointed? A. Last September; I spoke to the warden.

Q. When did you begin service here? A. Seventeen months ago the sixth of next month.

Q. What was your occupation before you came here? A. Bricklayer.

Q. What are your politics? A. Democrat.

Q. What is your residence? A. Ellenburgh, Clinton county.

Q. Who recommended you for the position of guard here? A. The principal men in Chertabasco, and the principal men in Ellenburgh.

Q. You had Mr. Wood's recommendation? A. Yes, sir.

Q. Did you consider your appointment as a reward for political services? A. No, sir, I don't think it was; my father is a Democrat, he is a farmer.

Q. Has it been rendering any special political services as Democrat? A. Not that I know of.

Q. What are your views as to the sale of intoxicating liquor? A. I don't see them.

Q. Have you received any instructions in that point from the warden of the prison? A. Yes, sir.

Q. What is North's name?

Q. What is the name of the man that was there?

Q. What is the name of the man that was there? A. I think last September.

Q. What is the name of the man that was there? A. Thazt.

Q. What is the name of the man that was there? A. I don't know.

Q. What is the name of the man that was there? A. Although Mr. S. M. Wood.

Q. What is the name of the man that was there? A. I can't say, sir, I don't know.

Q. What is the name of the man that was there? A. Personally? A. Yes, sir.

Q. What is the name of the man that was there? A. I don't know for political services.

Q. What is the name of the man that was there? A. Certainly.

Q. Was the name of the man that was there? A. They were appointed wherever they were.

Q. What is the name of the man that was there? A. No, sir.

Q. What is the name of the man that was there? A. I don't think he did.

Q. What are your habits as to the use of intoxicating liquors?

A. I am not in the habit of using them.

Q. Have you seen any punishments since you have been here?

A. I have seen convicts hung up.

Q. Have you seen any convicts hung up since the investigation?

A. No, sir.

James W. Riley, sworn:

Q. What is your position here? A. Guard.

Q. Where did you live before you came here? A. Plattsburgh.

Q. When did you receive your appointment as guard? A. Some time last fall.

Q. What are your politics? A. Democratic.

Q. How did you receive your appointment? A. From Mr. Weed.

Q. Was it promised to you long before you got it? A. No, sir; no length of time at all.

Q. Was any position promised you for political service? A. No, sir.

Q. Do you understand your position to be a reward for political services? A. No, sir.

Q. Had you known Mr. Weed for a long time before that? A. Great many years.

Q. Any political pressure been brought to bear on you since you came here, in any way? A. No, sir.

Q. Have you ever known of a man to be discharged for political reasons here? A. No, sir.

Howard A. Bates, sworn:

Q. Where did you live before you received your appointment? A. West Plattsburgh.

Q. How long since you received your appointment? A. Some time in October last.

Q. What was your occupation before that? A. I was in the United States army before I came here.

Q. In what way did you receive your appointment? A. I made application to the Civil Service Commission.

Q. Who did you make it through? A. Mr. Fuller.

Q. Were you examined by the commissioners? A. Yes, sir.

Q. What recommendations did you have to Mr. Warden Fuller?

A. That of John B. Riley.

Q. What are your politics? A. Democratic.

Q. Where does Mr. Riley live? A. Flattsburgh.

Q. Is Mr. Riley a Weed man? A. I can't say, sir.

Q. Are you? A. Well, I don't know any particular difference about that.

Philip Kennedy, sworn:

I am a guard here; sent here July 1, 1891, sworn in January 1~~st~~ 1892.

Q. Who sent you here? A. Smith M. Weed.

Q. What are your politics? A. Democrat.

Q. Where did you reside before you came here? A. Saranac.

Q. Did you work in the prison between July first and Janua~~ry~~ first? A. Yes, sir.

Q. But were not appointed? A. No, sir; the position was~~n't~~ opened when I came here.

Q. Did you receive pay as guard before you got your *formal* appointment? A. Yes, sir.

Q. Did you have a civil service examination? A. Yes, sir.

Q. Where did you have it? A. Dannemora.

Q. Who examined you? A. Mr. Nash, Dr. Ransom and Charles Martin.

Q. Did you receive a certificate from them of having passed a civil service examination? A. No, sir.

Q. What are your habits as to the use of intoxicating liquors? A. I indulge occasionally.

Q. Have you indulged since the present wardenship? A. Yes, sir.

Q. Have taken any since the new orders were issued here? A. No, sir.

Q. What is your habit as to swearing? A. I never swear.

Q. What was your occupation before you came here? A. Farmer.

James Foley, sworn:

I am a guard; I live at Saratoga Springs; was letter carrier at Saratoga Springs before I came here.

Q. Through whom did you receive your appointment here? A. Mr. Fuller appointed me.

Q. Who recommended you for the position? A. My brother spoke to him.

Q. What is his business? A. Lawyer in Saratoga.

Q. Did you have a civil service examination? A. No, sir.

Q. What are your politics? A. Democrat.

Q. What are your habits as to the use of intoxicating liquors? A. I take a drink occasionally.

Q. Are you aware of the rule regarding it? A. Yes, sir.

Q. Have you observed that rule since it was promulgated? A. Yes.

Patrick Feehan, sworn:

Q. What is your position here? A. Guard.

Q. When appointed? A. Fifteenth of May, 1891.

Q. Where did you reside before that? A. Troy, N. Y.

Q. What was your occupation before you were appointed? A. Barber.

Q. What is your politics? A. I am independent in politics.

Q. What ticket did you vote for at the last general election?

A. I think I voted for Cleveland.

Q. What ticket did you vote at the last gubernatorial election?

A. Mr. Flower.

Q. How did you get your appointment? A. I wrote for it.

Q. Who recommended you? A. I wrote to Mr. Fuller, and Mr. Fuller wrote to Mr. McCormick in Troy.

Q. Did you have a civil service examination? A. No, sir.

Q. You had no examination whatever? A. Not yet.

Q. Did you have any other recommendation beside the one you named? A. No, sir.

John Connolly, sworn:

I am a guard here; appointed first of May last.

Q. What was your residence before that? A. Troy.

Q. What was your occupation? A. Molder.

Q. How did you come to get your position here? A. Mr. Fuller sent after me.

Q. Who recommended you for the place? A. I asked a man named Connolly once if I could get a place here.

Q. What are your politics? A. I am an independent voter.

Q. What ticket did you vote at the last three elections? A. Didn't vote any straight ticket.

Q. What was at the head of the ticket? A. I voted for Flowe last fall; I voted for Cleveland at the last presidential election.

Q. Have you ever voted the Republican ticket? A. Yes, sir.

Q. What are your habits in regard to the use of intoxicating liquors? A. I take a drink once in a while.

Q. Have you taken any since January first? A. No, sir.

Orlando Manley, sworn:

Q. What is your position here? A. Substitute guard.

Q. How long since you have that position? A. The first of December last.

Q. What was your residence? A. In this town.

Q. What was your occupation? A. Farming.

Q. What are your politics? A. Democrat.

Q. Who recommended you for appointment here? A. I talked with Mr. Moon about coming in here.

Q. Do you consider your position here permanent or temporary? A. Temporary, I suppose; I don't know but I might get a permanent job.

Jerome Gay, sworn:

Q. What is your position here? A. Substitute guard.

Q. Where did you reside before coming here? A. Dannemora.

Q. What was your occupation? A. Clerk and bookkeeper.

Q. When were you appointed substitute? A. The twenty-fourth of last May.

Q. Your politics? A. Democrat.

Q. Who recommended you for appointment here? A. I don't know as anybody did.

Q. Were you ever employed here before? A. Along in '69 and '70 I was here for eighteen months.

Q. What are your habits in regard to the use of intoxicating liquors? A. I drink some, occasionally.

Q. Have you drank any since January first? A. No, sir.

Q. Do you ever swear at prisoners? A. No, sir.

Dr. Julius Ranson, sworn:

Q. What is your position here? A. Physician of Clinton prison.

Q. Where did you reside before you came here? A. I was residing at Altona in this county.

Q. How long have you been a practicing physician? A. Since May 15, 1889.

Q. What are your politics? A. Democratic.

George W. Meader, sworn:

Q. How are you employed here? A. Substitute guard.

Q. Where do you reside? A. Here in Dannemora.

Q. Your occupation previously? A. I am a justice of the peace here; try all the cases, civil and criminal here.

Q. How long since you received your appointment to do substitute duty? A. I don't think I have received any appointment yet; I am employed whenever there is a vacancy for a few days or longer.

Q. What are your politics? A. My principles are Republican; still, I am liberal.

Q. Was it for political reasons you were appointed? A. No, sir.

James I. Hart, sworn:

Q. What is your position here? A. Sergeant of the guard.

Q. When did you receive your appointment? A. The 27th of March, 1882.

Q. Where did you reside before that? A. Plattsburgh.

Q. What was your occupation before that? A. I was postmaster and assistant sergeant-at-arms of the Senate.

Q. Your politics? A. Republican.

Q. Did you receive your appointment through political influence? A. Not that I know of.

Q. Have you seen the rule generally observed since January first here in regard to not using any intoxicating liquors? A. Yes, sir.

Q. Have you noticed where it is not observed by anybody? A. No, sir; I have not.

The facts appearing during the investigation undertaken by the special commission, although not unknown to prison reformers, appear in a clearer light than heretofore in its report. The warrant fully the large amount of time and labor that was spent in the investigation—in which the corresponding secretary of the Prison Association bore his part through five long sessions and during the accumulation of 2,800 pages of evidence, and the examination of more than 150 witnesses. The showing is of such importance and indicates such neglect in the enforcement of the Prison Law that the Prison Association has felt warranted in instructing its corresponding secretary to make a very earnest and plain showing of the case—which he has striven to do in the preceding pages—and to protest against further disregard of the Prison Law in the management of the prisons of the State.

The Prison Association has no political affiliations. It makes no demand that the officers of prisons shall belong to either the one or the other of the great parties. It does demand that appointments shall not be made solely because a man belongs to the one or the other, or to this or that faction; but that the qualifications shall be those of ability, character and previous experience. It heartily recommends legislation to this end.

FAILURE TO GRADE PRISONS AND PRISONERS.

When the present Prison Law was written it was submitted to penologists in various parts of the State, and of other States, all of whom agreed that the best interests of the State demanded

a graded prison system. This gradation was to be accomplished with reference to the age of the prisoner and his progress in criminality. The intent of the law can not be better shown than by the following quotation:

"95. The Superintendent of State Prisons shall direct the classification of prisoners into three classes or grades, as follows: In the first grade shall be included those appearing to be corrigible or less vicious than the others and likely to observe the laws and to maintain themselves by honest industry after their discharge; in the second grade shall be included those appearing to be incorrigible or more vicious, but so competent to work and so reasonably obedient to prison discipline as not seriously to interfere with the productiveness of their labor, or of the labor of those in company with whom they may be employed; in the third grade shall be included those appearing to be incorrigible or so insubordinate or so incompetent otherwise than from temporary ill health as to seriously interfere with the discipline or productiveness of the labor of the prison.

"96. The Superintendent of State Prisons may make rules and regulations for the promotion or reduction of the prisoners from one grade to another, and shall transfer, from time to time, the prisoners in the State prisons from one prison to another with reference to the respective capacities of the several State prisons, or with reference to the health or reformation of the prisoners or with reference to including all prisoners of one grade, as nearly as may be practicable, in one prison, or may direct the separation from each other of the prisoners of different trades, so far as practicable, within each State prison.

"97. The Superintendent of State Prisons shall not, nor shall any other authority whatsoever, make any contract by which the labor or time of any prisoner in the State prisons shall be contracted, let or hired to contractors at a price per day or for other period of time.

"98. The Superintendent of State Prisons shall, so far as practicable, cause all the prisoners in said prisons, who are physically capable thereof, to be employed at hard labor for not to exceed

eight hours of each day, other than Sundays or public holidays; but such hard labor may be either for the purpose of production and profit or for the purpose of industrial training and instruction or partly for one and partly for the other of such purposes as hereinafter provided.

"99. The labor of the prisoners of the first grade in each of said prisons shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment, as the primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction solely, even though no useful or salable products result from their labor, but only in case such industrial training or instruction can be more effectively given in such manner. Otherwise, and so far as is consistent with the primary object of the labor of prisoners of the first grade as aforesaid, the labor of such prisoners shall be so directed as to produce the greatest amount and value of useful or salable products.

"100. The labor of prisoners of the second grade in each of said prisons shall be directed primarily to the production of the greatest amount and value of useful and salable products, but secondarily to fitting such prisoners to maintain themselves by honest industry after their discharge from imprisonment, even though their labor be rendered thereby less productive.

"101. The labor of the prisoners of the third grade shall be directed solely to such exercise as shall tend to the preservation of health or the manufacturing without the aid of machinery, of such articles as are needed in the public institutions of the State, or such other manual labor as the Superintendent of State Prisons shall direct, which shall not compete with free labor."

This portion of the law seems to have been almost wholly disregarded.

COUNTY JAILS.

The various county committees of the Prison Association of New York have done their work, as usual, and have, when asked to do so, made very special examinations of the jails of their respective counties. The corresponding secretary has visited many of the jails with a view to effecting their improvement. It is not

thought best to make a full report of the county committees, as their reports cover the same ground as on previous years, and there are few changes worth noting. The jails are not quite so bad as they used to be, but still they are an atrocious system of crime schools, supported at the public expense, and centers of political corruption in almost every county. Within the last two or three years new jails have been erected in several counties, as indicated heretofore.

The jail at Plattsburgh is one of these. It is, as far as construction goes, an admirable jail; so far as arrangement goes, a bad one. It is inadequately provided for the separation of young and old offenders, and the following extracts from the notes of the corresponding secretary, who visited the jail on September 1, 1891, in company with Rev. F. B. Hall and Henry H. Orvis, will indicate how far even the new jails are from the ideal lock-up.

Closet and wash bowl in each cell; closet flushed by tilting seats. Cell, six feet by eight feet; two bunks in each, swinging on chains and iron frames. Ten cells below, and above a dark cell. Closet and bath-room was not clean; an odor perceptible throughout the jail.

John Doe, sworn:

Age, 16; sent here May 30, 1891; waiting for Court of Sessions in November; parents living; never arrested before; never in any institution; has been drunk; used tobacco for five years; never worked; father dead seven years; father was intemperate; mother living and temperate; always attended Protestant Sunday school; alone in the cell; out in corridor from 9 to 4; heard repeated swearing; learned to play cards while here; learned more obscene stories while here than in all his life before; speaks of good food; two meals a day, bread and meat, 9 o'clock and 4; bedding not been washed; bugs and lice sometimes; furnished with insect powder from time to time.

Richard Roe, sworn:

Age, 15; in jail for stealing; been arrested before; good feed, but does not always get enough of it; been in a month.

Book of records identified by W. D. McCann, sworn:

Records not kept as to fines, age, country, color, social relations, education, trade or occupations; has been keeper since June 2, 1896; appointed by Sheriff White; no civil service examination; sees that the jail is kept properly and prisoners fed; never has instructions as to keeping records; prescribed the diet as ordered by Mr. White, the sheriff; allows daily newspapers and "Police News;" prisoners allowed to send out to buy things; never receives presents, though has been offered them; board of prisoners sixty cents a day; blotter and daily accounts of prisoners identified by witness and one entry as follows noted:

Solomon, eleventh August.

Charges:

Locking	\$0.38
Arraigning	1 50
Discharging	38
Two days' board	1 20
	<hr/>
	\$3 46

A man brought in at 11 at night and released to go before recorder in the morning is charged two days' board. Evidence read to witness and left uncorrected.

From these minutes it will be seen that this jail is a school of contamination kept at an enormous expense and with every disposition on the part of the sheriff to make the most of his office from a monetary standpoint, with very little regard for the moral welfare of the prisoners. An able-bodied drunkard living without labor in the county jail costs the county for sustenance alone four dollars and twenty cents a week. The sheriff is provided with a place to keep him - for which he pays no rent - provided with heating and light and fees for attendance. These bring the cost to the county up to fully six dollars a week for the board of every vagrant and drunkard in the county jail. Near by, perhaps, is a poor widow with one or two children to support

and clothe, who keeps a mechanics' boarding house, receives from three dollars and fifty cents to four dollars a week for board, pays rent, pays for fuel, pays for lights and makes money enough to send her children to school and support herself respectably. Such a system as our county jail is an atrocious and demoralizing robbery of the State. In but two of our jails is here any effort at systematic labor. One of these is Oneida county, where there is a yard for breaking stone; the other is Chemung county, where the men also break stone, being marched through the streets in a chain-gang to a yard at some distance from the jail. In two or three of the counties the corresponding secretary has found unusually atrocious county jails, but the board of supervisors have shown an intention of remedying them. Their condition will be followed up closely and the abuses found in them remedied if it is possible to bring the remedy about under our very deficient laws for jails. The remedy really called for is to sweep the county jail out of existence altogether, except as a house of detention for witnesses and for those awaiting trial. This must, sooner or later, be done, and in the meanwhile as a measure of protection against factional corruption in the control of the jails a law should be passed fixing the fees to be paid to sheriffs and the amount to be paid for the board of prisoners, or the office of sheriff should be made a salaried one, and the prisoners boarded on the public account.

STATE REFORMATORY.

The work of looking after paroled prisoners; paroled from the State Reformatory to the city of New York, has been in charge of Mr. D. E. Kimball, as heretofore, acting for the association. Since the last report 313 have been paroled to this office. They make monthly reports and the circumstances of their lives are carefully investigated and noted as the cases may seem to require. Situations have been provided for a good number that they might secure their release by having them, and the results of the work in this department have justified the expectations held by the association in their effort for the establishment of a

reformatory in 1876. The association looks with dismay upon the largely increased census of the reformatory, now numbering over 1,400 prisoners, when the best penologists, including Mr. Brockway himself, are on record as believing that a prison can not be conducted with the highest reformatory results if the census includes more than 600 men. There is plainly the need of a new reformatory prison for men in this State, as it is generally conceded that the high results now shown at Elmira are only brought about by the strong personality of the superintendent making itself superior to the disadvantage of large numbers.

THE BURNHAM INDUSTRIAL FARM.

The Prison Association has permitted its corresponding secretary and its chief clerk, Mr. Kimball, to take an active part in the organization and development of the Burnham Industrial Farm. The presence of young boys in our county jails and penal institutions daily emphasizes the necessity of an institution where youthful offenders or those likely to drift into crime may be taken from treatment — an institution that is not penal in its character. The Burnham Industrial Farm has between seventy and eighty boys carefully selected from those who are rapidly drifting into criminal lives or were in danger of so drifting. An institution without walls or locks, it puts a moral restraint upon the boys that holds them effectually and produces the highest results in their reformation. Although the Burnham Industrial Farm has been established only since 1887, and under its present management since 1888, it is confidently believed by its projectors and managers that fully ninety per cent of the unruly boys taken there under treatment can be saved. Hundreds of boys are examined at the office of the Prison Association and applications are made there for their admission to the farm. Boys paroled from the farm to New York city are carefully looked after from the office of the association.

CONFERENCES.

On the local importance of the work of the Prison Association has been the bringing together of experts in a series of conferences on subjects affecting penological principles and practice. The first of these conferences was on

CRIMINAL CHILDREN

And the discussion was opened by the Hon. Elbridge T. Gerry, who presided on the occasion. His opening remarks were as follows:

Gentlemen.-- The subject of criminal children is one of the most interesting for the humane to consider. It presents the case of human beings afflicted with moral disease. And the study is, not simply how to cure that disease temporarily, but to eradicate it permanently; not how to temporize with the evil, but how to prevent its recurrence. And in this respect it is necessary to consider first, the cause; second, the trouble itself, and third, the cure. First, as to the cause. I will not waste time in details. A three-fold division will explain it. First, hereditary taint; second, vicious surroundings, including the absence of religious and moral restraint and that ignorance which itself engenders crime; third, sudden yielding to temptation. On the hereditary subject I have but little to say. Our laws for the protection of children furnish such ample means for their preservation, where the parents are convicted of crime, that, in a practical point of view, but little can be added thereto. But when we come to the second point, the question of the moral atmosphere which is the cause of the disease, a wide field is opened at once; and on this I propose to dwell for a brief period. The necessity of devoting almost their entire time to earning the means of subsistence necessarily prevents the parents of the poor from looking after the family, especially if it be a numerous one, with that degree of care and attention which those in better circumstances are able to give. The atmosphere of the tenement house, with its miscellaneous collection of inmates, enables the children of the poor to eat of the tree of knowledge of good and evil without warning of the tempter. This accounts for the ease with which the girls yield to the allurements of dime museums, picnics, "association balls," and too often eventually the brothel; and the boys attracted by the light and warmth and glitter of the corner saloon, there make acquaintances who initiate them in the ways of dishonesty which sooner or later brings them to the police court. The crowded quarters of the tenement house furnish

but little comfort or amusement to the children of the poor. Compelled to seek recreation outside, what wonder is it that those recreations are harmful and their enjoyment deadly. From petty thieving to grand larceny and burglary the step is easy. Unless arrested at the commencement of his career, the boy thief soon becomes incorrigible. Once started on the downward path, the fallen girl becomes irretrievable. And the cause, after all, is the want of proper instruction of the children. They receive no religious instruction practically excepting on Sunday. The education which they get at the public school has but little to do with the moral character, if at all. With the mass of evil surroundings, the only wonder is that they are able to resist evil influences at all. Their parents too often are unsuspicious, frequently act injudiciously and with harshness, fail to retain their children's confidence and are startled and dismayed when too late they discover what has been done. And it is out of this indifference of parents and this evil atmosphere that the third cause arises, the yielding to temptation. Is it any wonder that when the child is tempted by those of its own age, and where neither the restraining influences of religion nor the warning voice of experience are available, it falls into sin and crime almost as a matter of course. The boy seeks in the saloon the light, the warmth and the acquaintances which he does not find in his miserable home. The girl, with the promise of dress and of money, coupled with flattery and the natural fondness for admiration, sacrifices herself to her own vanity. All this explains, to some degree, the cause of the disease. But it may be and is increased by the existence of some crying evil, worthy of attention. And of these, first, the herding of children together in prisons and too often in institutions, without any regard to their proficiency in crime, thus enabling the older and more experienced to complete the corruption of their younger associates. It is quite true that the statutes of this State ostensibly cover the evil. But in reality they do not. Our prisons are too often filled with youthful offenders who have access to and converse with older criminals; and even in our best regulated institutions it is

impossible to prevent the poison which one single vicious child will infuse into the minds of hundreds of others. Children are naturally talkative. What one learns it imparts to its associates. There is no poison so venomous as that of vice—none so contagious, none so difficult to destroy. This is one subject worthy of great consideration. It ought to demand immediate legislative action. Another method by which criminal children are stimulated in their evil career is the legal proceeding in court. Treated like any other criminals, they are too frequently allowed while there to associate with those older in crime. Their very presence in court where trials for crime are proceeding enables them to become familiar with facts of which they may have been ignorant. The remedy for this is in the holding of a special session of the court for the disposition of such cases alone. This could easily be done in all our criminal courts, without the incurring of any great expense. Some States, Massachusetts for instance, have gone to the extent of creating a separate child's court, where all offenses committed by or against children are tried. And in this way they are practically kept from association with maturer criminals, or the opportunity of becoming familiar with crimes to them yet unknown. Lastly, as to the cure. It is idle to discharge a man from a hospital until he is able to take care of himself. The child removed from a vicious atmosphere must breathe a purer one long enough to recover from the poison with which it is saturated, else on being discharged from the curative process, the disease will break out again. If the child is to be discharged from an institution merely because its parents find it convenient to have it home, before it is able to resist temptation, relapse is inevitable. Hence the agencies, such as that of the Children's Aid Society, and more lately of other institutions for sending children out in the country where there is an entire change of life and scene and old associations are broken up, produce for more effective results than the simple immuring of a child for a specified period. The effect of the latter is too much like that of the serving of a sentence, whereas on the other hand, as was said by Chief Justice Davis

(Matter of Haller, 12 Hun, 131): "The intention of the law is not to punish such children but to protect and provide for their necessities with tender care." The other methods of perfecting the cure involve also the means of prevention of the disease. The admirable system of boys' clubs, furnishing proper associations, amusement, instruction and recreation to the children of the poor, without expense, and the creation of some such similar societies to interest the girls, either in needlework, music, singing, or the like innocent occupations, will do much to stem the torrent of crime which, owing to the continual increase by importation of our already enormous population, threatens yearly to become more formidable and to menace the safety of the future body politic.

Following Mr. Gerry, there were addresses by representatives of the State Charities Aid, of the Association of the Charity Organization Society, and a most thrilling address by Mr. Anthony Comstock.

The second conference was on —

THE DISCHARGED CONVICT.

The Right Reverend F. D. Huntington presiding, and making an earnest plea that a larger reformatory spirit should be put into our laws governing prisons, and that every measure of discipline should be planned with a view to uplifting the prisoner and fitting him to earn his living when he was again released.

Following Bishop Huntington there was a talk by Michael Penn, who told the story of his own life, of his own struggle toward reformation, and the struggles that he had made to help others.

HARRISON DICK.

It certainly can not be amiss, in this connection, to make an expression of the profound sense of loss that all those who are interested in discharged prisoners must feel in the death of Michael Penn. This noble man, fired with a noble purpose, did a work of beneficence known from one end of the country to the other. He was always a valued counsellor and helper to the Prison Association of New York, and during the years that he

carried on the Home for Discharged Prisoners in Houston street, there was never a time that he did not have more or less of the beneficiaries of the Prison Association under his direction and control. He will be greatly missed, but save in his own institution that he has recently established in Brooklyn, nowhere will he be more missed than in the office of this association.

Mr. R. W. Hebbard, of the Charity Organization Society, read the following paper:

When Mr. Round, just after the close of the last interesting and instructive conference, kindly invited me to say a few words at this one, from the standpoint of the Charity Organization Society, in regard to the subject under consideration—"The Discharged Prisoner"—I begged to be excused for the reason that our experience with this class in the community was a very limited one, and that the discharged prisoners, with whom we were at times called upon to deal, were very poor specimens of their kind, being, as a rule, pauper as well as criminal. I believe, Mr. Chairman, that those who have made the study of these two classes a life-work agree that it is much harder to redeem the pauper than to reform the criminal.

For my part, my limited experience with discharged prisoners has led me to believe that, in this community at least, they have, as compared to the opportunities of their fellow men who have never been in prison, a very fair chance to succeed if they are determined to lead industrious and honest lives.

How they shall get along after their discharge, depends, it seems to me, very much upon themselves; they may, if they choose, as England's greatest living poet says:

"Rise on stepping stones
Of their dead selves to higher things."

In this community I have noticed that discharged prisoners are treated with a rare degree of kindness and consideration. I think New York has said officially that she has no grave objections to discharged prisoners, but that, on the contrary, any position of influence in this municipality that they can win is open to them.

New Yorkers are extremely good natured and careless in their dealings with fallen humanity. I know of one of our brightest lawyers who is a member of a law firm which has for years guarded well the interests of the greatest corporations in this country.

One night a discharged prisoner rang this gentleman's door bell and sent in by the servant an appeal for aid. He was invited to enter and questioned, and the gentleman allowed him to remain all night, in the morning giving him employment assisting the butler. The applicant continued his work for about a week, doing it well, and at the end of that time left the place, taking with him nearly \$100 which he had abstracted from his benefactor's overcoat pocket.

The latter, who was a member of the Charity Organization Society, called at our office the following day to make inquiries, and was surprised to learn, for the first time, that his protege was an incorrigible sneak thief.

Some three years ago, I arrested a young man who had for some years been getting money under false pretenses for alleged charitable purposes, and, failing to get a complainant, who had been swindled, an ordinary complaint of vagrancy was made against him and he was committed to the city prison for six months.

After his release he applied for a position with a leading organization, and its representative — one of our smartest lawyers who has represented a branch of the Legislature in a recent important and searching examination — employed him at once. He is now earning a salary of thirty dollars a week, is giving satisfaction and the gentleman who employed him does not know to this day, I am informed, of his prison record.

It is quite a favorite plea with beggars that they are just out of prison and we have found so many bogus ex-convicts that in our charities directory we have published the following by way of caution:

"It is not safe to deal with or assist any real or pretended ex-convicts, except by referring them, or better still, by going

with them to the Prison Association or to the House of Industry and Refuge for Discharged Convicts, temporarily at No. 1115 First avenue, near Sixty-first street, while building at Sixty-third street and Amsterdam avenue. Many falsely pretend to be convicts because public sympathy is so deeply touched by the difficulties which this class encounter."

While I think that discharged prisoners have, as a rule, a fair opportunity, as compared to the chances of their fellow men who have never been in prison, it does not follow that I believe that they have an easy time to get along. It may be that they are "hounded" as is frequently claimed but, if so, no such case has ever come under my notice.

About five minutes walk from this office is a street with which I am fairly well acquainted because for some years I was agent of an office which the Charity Organization Society had there. In two blocks, of this street, have lived, during the past ten years, as our records show, at least fifty persons who have been in the penitentiary, and, I think, it is fair to presume, that as many more have been in State prison or the workhouse. Over 700 of these, living in the same two blocks, have applied, during the same period, for charitable relief of some sort or other. It is a neighborhood of criminals and of beggars.

I do not know that it is much, if any, worse than other streets in the same locality, but this is the environment that children are brought up in; this, Mr. Chairman, is tenement-house life in New York city.

From these scenes the arrested prisoner goes; to these same surroundings as a discharged prisoner he returns. It is difficult to separate him from his fellow man; he must, save in exceptional cases, be treated on the same lines.

I think what the discharged prisoner needs and what those who have never been prisoners need are one and the same — that blessed old institution, the home.

Let New York throw great bridges across the two rivers that separate her from Long Island and New Jersey and give the poor

a chance to escape from the ten thousand tenement hells in which they live.

The third of these conferences was presided over by the president of the Prison Association, Professor Theodore W. Dwight.

The conference being on the subject of

WOMEN'S REFORMATORY PRISON.

A paper was read by Mrs. C. R. Lowell and was made the basis for discussion. Mrs. Lowell's paper was as follows:

It seems as if any argument in favor of a Woman's reformatory were entirely superfluous, if not impertinent; as if the mere statement of the fact that in this city, of 1,500,000 inhabitants, with the vice and crime which in our present stage of development are the necessary accompaniments of such a population, there is no public reformatory to which a girl over 16 years can be sentenced, would, in itself, be the very strongest argument needed. We know, however, that the facts and the arguments for a change will have to be repeated over and over many times in the future as they have been in the past before we shall have a reformatory for women in this city, and, therefore, I am ready to tell the story once again to you who know it all as well as I do, and to marshal anew the reasons that make a women's reformatory one of the crying needs of the city.

Criminal women and vicious women, in this city, pass, as you know, through the station houses into the city prisons, and so on to the penitentiary or the workhouse, according to the nature of their offence—they go from the hands of the police department into the hands of the department of public charities and correction, and whatever may be the kindness or conscientiousness of individual subordinate officers, in neither department is there any intention or any attempt to return these women to the community any better or any less a menace to the public welfare than when they were arrested. They are taken charge of by the city, are passed through a certain routine and turned out again, it may be in five days or it may be in twenty years, and their future, as individuals or as members of the community, is as absolutely

ignored both in theory by the law, and in practice by the public officials as though it did not exist.

There are two distinct and separate evils to be remedied: First, the short sentences to the workhouse; second, the lack of systematic reformatory education both in the workhouse and the penitentiary.

The theory of our law is that when an offense is committed the offender shall be punished; a light punishment for a light offense, a severe punishment for a serious offense, and that this punishment will serve as a lesson to the person punished and to those who know of the punishment; and that offenses will, as a consequence, diminish, the assumption always being that every human creature has full control of his own actions, and can avoid committing offenses if he wants to, and that he will want to, provided he is punished for committing them. The causes which lead to the commission of offenses are ignored; the low grade of intelligence which can not understand the connection of cause and effect; the weak will, which is the sport of circumstances; the morbid appetites leading their victims astray; all these are ignored by our laws, and consequently no provision is made for the training of the intelligence, the strengthening of the will, and the repression of the appetites. In very many cases there is nothing which can help the unfortunate offender but a long term of patient and devoted training and education of body and mind, and it is to give the opportunity for such training that the reformatory is needed. The cruelty of arresting a woman twenty or thirty times in one year for the same offense, taking her into court each time to be publicly disgraced, sending her to the workhouse to go through the old round of scrubbing or knitting for three days, and then turning her out to her old haunts and her old companions, is only equaled by the folly and extravagance of paying policemen, judges, keepers and matrons to spend their time in such futile labor.

What is needed is an institution where, when once an inmate has been sentenced for an offense, she may stay and must stay until she is presumably fit to take care of herself, and until a place

has been found for her to go to in which she can earn her own living.

In this institution the first object should be the education (for soul, mind and body) of the inmate; to develop her moral nature and her intelligence, and to teach her to do some work whereby she can maintain herself. Where this is impossible, where the deficiencies of her nature are so great that training will produce little or no effect, she should be kept for life in a safe retreat, where she can neither be degraded herself, or become the means of degrading others; and above all, where she can not continue her own miserable tendencies in future generations; if we can not reform the individual, we can at least attempt to eventually reform the race by cutting off some of the inherited evils which now burden us.

The last conferences of the series held in the library of the association was on the subject of "The incorrigible criminal. Does he exist, and what shall be done with him?" The conference was presided over by the Hon. Francis Wayland, dean of the Yale College law department, whose address and the discussion that followed it was of great interest and value. It is the purpose of the association to hold another series of conferences in the month of May or early in the autumn of 1892 to take up the subjects of capital punishment, civil service reform in the prisons, and others that have been urged upon the attention of the executive committee.

DEPARTMENT OF DISCHARGED CONVICTS.

It is some years since this department of the association's work has been described, and it has been thought wise to give a complete description of how it is conducted.

The cleaning and all the repairs to the association's building has been done by men who applied for relief. It must be remembered that "Nothing without labor" is a hard and fast rule in this department.

A small printing office is kept constantly busy in the rear room of the first floor in printing the various circulars, notices, letter-heads and envelopes used in the work. Thus if a printer *is discharged* from prison, and is unable to find work at his trade,

he is taken into the association office until his chances of obtaining work are better. The little office has been in operation some three years, and has helped many a poor fellow over a rough spot in his life's journey. The press, type and entire outfit were donated by a member of the association's executive committee.

Tools are loaned to mechanics who have come out of prison without sufficient means to obtain them for themselves, provided they have secured employment. No tools are given outright, and none loaned until it has been ascertained by investigation that the applicant has actually secured a place to work.

Transportation to homes and places of employment is provided in certain cases. Where the association sends men out of town, it learns as far as possible if it is right and proper to send a discharged criminal to such a place. The association has never been accused of shipping criminals out of New York for the purpose of ridding the city of them at the expense of other communities, and does not propose to render itself liable to such a charge. A man from prison frequently says: "If I could only get out west where I am not known I am sure I could soon get work and live down the past." Most of the men who have gone west from this office have been glad to get back to New York again.

Steady work is obtained for a great many men each year, but it is hard to secure places for most of the men who ask aid in that way. The cable road and subway work going on for the last couple of years has helped the association greatly, and it is under many obligations to one prominent contractor in particular for having provided situations for a large number of men. Just how many he has employed will never be known, as most of the men who get places fail to let us know of their success.

Temporary work is the principal means adopted by the association to relieve its applicants. The aim is to help men to help themselves. Able-bodied men are put at chopping wood, shoveling coal, painting and cleaning around the building, delivering circulars through the city, and in delivering and receiving heavy parcels of reading matter for use in county jails and other institutions. Men who have been clerks or salesmen, and therefore as

a rule not able to perform manual labor, are employed in addressing and folding circulars, and in reading papers in the press bureau—a department of the work explained elsewhere.

In response to the circulars that have been printed and delivered by ex-convicts, many parcels of partly worn clothing and shoes are received, and loaned to the men. It often happens that a man can not get work because he can not present a respectable appearance. Such men are fitted out cap-a-pie from the clothing room, and the changes wrought in many instances are wonderful. A man in ragged and dirty clothing is generally without ambition, but put him in good clean clothing and he is willing and anxious to help himself.

Lodgings and meals are given in payment for work done in the various departments, and the association's agents are required by its by-laws to send the men to different places to sleep and to eat.

PRESS BUREAU.

As a means of temporarily employing such discharged prisoners as are unable by reason of weakness or inexperience to perform manual labor, the association has established a bureau of press clippings. From this bureau information on any subject that is discussed by the newspapers of the country is furnished to subscribers at very low rates. Its patrons as a rule are people interested in the study of economic questions, managers of institutions and State boards of charity. A great many of the prominent newspapers throughout the United States have been sending their publications to the bureau without charge. The small charge made for clippings does not cover the actual cost, so that the bureau is in no sense a money-making institution. In fact it keeps the association's scrap-books well supplied with the latest information in the realm of penology and kindred topics.

LIBRARY.

The library of the association is consulted daily by members of the press, and by others interested in the subject of prison reform.

After having served their purpose in the press bureau, quantities of religious papers are sent to the gospel mission, to the tombs, for distribution among the prisoners in the city prison, and to the "Young Men's Home," which employs a missionary *who works in the Bowery lodging-houses.*

TABLE OF APPLICATIONS FOR RELIEF AT OFFICE OF THE PRISON ASSOCIATION.

1890.	FROM STATE PRISONS.				FROM PENITENTIARIES AND REFORMATORIES.			FROM DETENTION PRISONS.		Total.
	Sing Sing.	Auburn.	Clinton.	Other States.	Blackwell's Island, N. Y. county.	Other counties.	Elmira Reformatory.	City prisons and county jails.		
January.....	7	.....	4	.....	18	3	4	1	37
February.....	2	.....	.....	.....	14	4	19	1	40
March.....	4	.....	1	.....	11	2	12	2	32
April.....	2	2	.....	1	10	1	23	2	41
May.....	6	3	4	1	15	.....	23	2	54
June.....	1	4	2	2	22	1	8	.....	40
July.....	3	3	3	1	15	.....	6	2	33
August.....	9	3	2	2	14	4	21	1	56	
September.....	1	.....	2	.....	13	2	6	2	26
October.....	9	4	2	1	10	1	3	.....	30
November.....	3	4	5	2	8	3	39	1	65	
December.....	7	2	1	.....	18	.....	18	.....	46
- 54	25	26	10		168	21	182	14	500	

TABLE OF APPLICATIONS FOR RELIEF AT OFFICE OF THE PRISON ASSOCIATION.

1891.	FROM STATE PRISONS.			FROM PENITENTIARIES AND REFORMATORIES.			FROM DETENTION PRISONS.		Total.
	Hug. Sing.	Auburn.	Canton.	Other States.	Blackwell's Island, N. Y. county.	Other counties.	Elmira Reformatory.	City prisons and county jails.	
January	6	3	2	3	17	5	9	1	46
February	1	.....	.....	2	25	4	21	1	54
March	3	1	1	3	32	2	30	2	74
April	5	1	1	1	20	1	1	2	32
May	4	3	2	.....	5	1	23	1	43
June	3	3	4	.....	11	2	.....	.....	23
July	6	4	.....	.....	16	3	17	1	47
August	11	3	3	2	16	1	16	.....	52
September	4	.....	1	.....	7	2	10	2	30
October	14	5	2	3	18	6	4	.....	52
	65	23	16	14	167	27	131	10	453

The writer of the appended letter was formerly a fairly prosperous real estate agent in Brooklyn. He was brought low, like so many others before him, by the evil of drink. The letter tells its own story:

To the Editor of the New York Times:

In looking over a copy of your paper dated November thirtieth, I observe an item in reference to the Prison Association of New York. I would like to tell you and your readers what that association has done for me. Last August I came out of the Kings county penitentiary without a cent, after serving ten months. Owing to physical infirmity (being lame), on leaving the institution I asked for five cents car fare. The officer in charge told me they had no money for that purpose. I left and walked as far as Fort Greene, where I had to sit down, for I was tired, weary and sad, for I was homeless, friendless and penniless. I saw a gentleman on one of the seats. I went to him, a perfect stranger, and told him my circumstances—for I had made up my mind in prison, by God's help, I was going to lead a different life. He gave me a ticket over the bridge and ten cents. I came directly to the Prison Association, 135 East Fifteenth street, and made known my condition.

The gentleman in charge of the office took my application and gave me kind words and sympathy. He sent me to work that afternoon and I have been working daily ever since. He also inquired if those were the best clothes I had (they were pretty well faded, having gone through the penitentiary smoke-house). He said, "To-morrow I will fit you out with clothes, and you will find it is not so dark as you think it is." The next day I got my clothes and to-day I am trusted and respected by many, whereas if it had not been for the help extended by this association I would to-day be in my grave or in a prison cell. The kindness and sympathy I have received from that association I shall never forget.

My prayer is that God may bless the Prison Association of New York and raise up friends to support it, that it may be able

to assist discharged prisoners who are desirous to lead a new life, but come out of prison as I did, homeless, friendless and penniless.

Clarence ———, an American, 54 years of age, a civil engineer and chemist by profession, applied for assistance to enable him to reach his family in the State of Washington. He had just been discharged from State prison, where he had served a term of four and one-half years for perjury. He had never been in prison before, and felt keenly the disgrace he had brought on his family by his careless act. He was mixed up in a straw bail transaction. He should have been sent to his family by the State agent for discharged convicts, but after encouraging the man this official left nothing for him, so that he was obliged to come to the Prison Association. With the help of a lady we finally succeeded in getting him off to Washington, where he arrived, as he expressed it, in time to eat his Thanksgiving dinner at home. After the man had been gone a week we received a letter from the State agent, offering to aid the man to the extent of ten dollars, and saying that he understood that the man had friends who would help him. This understanding was probably due to the fact that the man was not a favorite of the warden. There are hundreds of such cases on file in the office of the association.

COMMITTEE ON DETENTIONS.

A little box is placed in the corridor of the city prison (the tombs), and any prisoner wishing the help of the association in any way sends a note and calls the representative to his cell door. After having told his story he is counseled and advised as to the proper course to pursue under the circumstances. Those who are not guilty of the charges made against them, but unable to establish their innocence by reason of poverty and ignorance of the law, are provided with competent lawyers, or the facts are brought to the notice of the district attorney, so that he will ask the grand jury to dismiss the charge.

First offenders are generally sent to the State reformatory on our recommendation. Before such disposal of a case is recommended to the court a rigid inquiry is made among the relatives, *friends* and employers of the man to learn beyond a reasonable

doubt that he is genuinely a first offender, and not an experienced criminal trying to escape merited punishment.

The "shyster" lawyers have not operated so largely or so boldly as in the past; three of them have been convicted and are now in State prison for long terms. A few cases of the hundreds in which we have been interested are appended.

A FEW SPECIMEN CASES.

The matron at the tombs requested our agent to investigate the charge against David Blank, 11 years of age, charged with burglary. The officer in the case said that the boy was a bad one, but on inquiry it was found that such was not the case, and that the boy was only technically guilty of the crime charged. His hat was thrown through an open fanlight in play with some other boys, and when he went after it he was arrested. The officer said that the boy's mother was a dissolute and worthless creature, not fit to care for her children. The mother was asked to explain, and did so as follows:

"I work at selling papers, and have supported myself and three children, two of them younger than David, ever since my husband died some years ago. I am not a drinking woman and have money in bank (showing bank book with over \$100 to her credit). I get up every morning at 3 or 4 o'clock and sell my papers until 10 or thereabouts; then I go home and go to bed till it is time to go and get the evening papers. The officer pounded on my door at 12 o'clock. I was in bed, but got up and opened the door a little to find out what was wanted, and now he says I was in bed drunk at noon. I can prove that I am a decent, hard-working woman, and that my poor little boy helps me all he can with the papers."

The true story of the case was put before the judge, who immediately discharged the boy on his own recognizance.

Charles ———, a cab driver, out of work and unable to borrow money from friends to make up the amount needed to pay rent, became discouraged and snatched a pocket-book from the hands of a lady in an Eighth street car. He was chased a

long way and caught with the property in his possession. As the act was committed at night, he was indicted for grand larceny, first degree, punishable by not less than five or not more than ten years in State prison. Having no money to employ counsel, he asked our assistance. Investigation brought out the facts that he had always borne a most excellent character and that he was respected by all who knew him, employers and friends alike. When he lost his place, his wife hired an expensive flat and furnished it on the installment plan, hoping to make a living by renting furnished rooms to lodgers. Her plan was a failure and discouraged the husband to such an extent that he committed crime. The complainant, on hearing how matters stood, wanted to withdraw the charge, but was not allowed to. We made a statement of the facts to the judge and with the help of an assistant district attorney, had the charge reduced to petit larceny and the judge sent Charles to the penitentiary for sixty days. He served his term and is now in honest employment supporting his family. He has repeatedly called to express his thanks to the association and let us know how he is getting along.

A poor Russian Jew, with an almost unpronounceable name, arrived here from Russia and started to look for work. As he was attired in the same garments he had worn in his native land, his peculiar dress made him the butt of the street loafers wherever he went. The continual abuse and his failure to get employment discouraged him so that he concluded to take his own life and end the weary struggle for existence. He dissolved a number of heads of lucifer matches in a glass of water and drank the mixture. Some one in the house, attracted by his groans, had him taken to Bellevue hospital where, after having undergone the stomach-pump treatment, he was placed under arrest for attempted suicide (a felony under the laws of New York) and held to await the action of the grand jury. A merchant of this city read of the case and wrote to the court offering the man a situation if his discharge was granted. The case had

been dismissed the day before by the grand jury and the prisoner's discharge ordered. By an accident the clerk of the court noticed the letter from the business man folded in with the papers and called the matter to our notice. We secured the services of a good interpreter and, after a long search through the tenement-house region of the east side, found the unfortunate young fellow and told him of his good fortune. He was profuse in his expressions of gratitude and went to work the next day.

A poor miserable woman, who looked half starved and frozen, with a ten days' old baby in her arms and another just able to walk, hanging on her skirts, called at the office and begged us to save her husband who was in the Tombs, wrongfully accused of stealing a roll of sheet copper from a building where he had been working. He had been paid off for his week's work and started for home, he said, when he was overtaken by a fellow workman with the copper. Just as he was asking where he got it, as the story ran, a policeman interfered and carried the two "innocent" men off to the station-house. We told the woman that, for the sake of her children and herself, we would ask the judge to be as merciful as he could. The complainant felt sorry for the woman and joined in our request for mercy, and the man was discharged. My investigation as to the character of the prisoner showed that he was a classically educated man, a licensed school teacher, and that he had sunk to the condition of a common laborer and hod carrier through a passion for drink.

The attention of the association was called to the case of Frederick — and family by a physician. On visiting the house on East Twelfth street we found the wife and three children in two dirty dark rooms without food and about to be dispossessed for non-payment of rent. They were supplied with groceries and it was learned that the husband was in the tombs for receiving stolen goods. He had been tried but the jury had disagreed, standing eight for acquittal to four for conviction. The prisoner was out of work and took the goods and pawned them as a favor for a bar-room acquaintance. He was arrested in the street at

2 o'clock in the afternoon with the clothes hanging on his arm. A searching investigation as to his character was made and the following report handed to the court: "Investigation by this association as to the character of the defendant, shows that for the past year he has been in the employ of a furniture dealer who has such faith in him that he will re-employ him if he is released. Mr. — says he has known Frederick about twelve years and never knew him to be guilty of dishonesty. He further states that he has trusted him with as much as \$600 in cash and willing to trust him again with any amount and give him temporary work until June when he will secure a permanent place for him. So far as we have been able to ascertain from information given us by the defendant and other societies he has never been in prison before and out of compassion for his unfortunate family we most earnestly recommend him to the merciful consideration of the court." The judge very kindly discharged him on his own recognizance.

In passing through the tombs a few weeks later our agent was greatly surprised to see the same man behind the bars under a charge of burglary. He pleaded in extenuation that he was drunk at the time or he would never been guilty of such an action. This time, of course, he had to go to prison, but the judge said there might be some good left him and sent him to the State reformatory. He made a model prisoner in that institution, and secured his release on parole in one year (the shortest possible time). He is now at work steadily, has an excellent situation and good comfortable home for his wife and children. He does not drink liquor and we are constrained to believe that his course of treatment at Elmira has cured him of the appetite.

John —, 26 years of age, charged with grand larceny of clothing valued at over \$400, said he was not guilty of the charge and asked the association to help him out of his trouble. He was employed by Mrs. —, who keeps a large boarding-house, as a useful man and to help in the kitchen. The chef, a Frenchman known only as Jan, gave John an old mildewed coat and vest

which he cleaned and wore about the house. A few days' later the chef left the boarding-house to work in a hotel at better wages, John remaining in the boarding-house. A man who boarded at the house recognized the coat and vest John had on, as his property, and after examining a trunk which he had stored in the cellar had John arrested on a charge of breaking open the trunk and stealing \$400 worth in all. The woman who employed John said she has trusted him repeatedly with ten dollars and twenty dollars at a time without the loss of a cent and in view of the fact that he wore the stolen property around the house all the time he had it; we thought the case one worthy of our attention and made diligent inquiry as to the prisoner's character. A cashier of a national bank in a small town near New York said he had known John and his family for years and that there was not a dishonest person in it. The postmaster of the place gave the same information and former employers spoke of him in high terms. We secured a lawyer (not a tombs' practitioner) to defend John when the case was brought to trial. The chef who had given the clothing to John could not be found at the hotel he said he was going to work in, which fact went very much against the young man at the trial. Our lawyer made a strong fight for the prisoner and succeeded in securing a verdict of petit larceny with a recommendation to mercy, considering that he was indicted for grand larceny in the first degree and might have gone to prison for ten years and that some of the stolen property was found on him, this was very satisfactory. We presented the letters we had secured and the judge sentenced him to thirty days in the city prison. He served his sentence and returned to his home where he went to work for his brother who keeps a hotel. In passing through the village I saw him driving his brother's team seemingly prosperous and contented.

CONCLUSION.

In concluding this report the executive committee of the Prison Association desires to express its sense of gratitude, for the courtesies that have been shown it by prison officials throughout the State, and especially for the facilities that have been given to us

agent in the tombs. Its work has also met with uniform support, from the judiciary and its representative treated with unwavering courtesy whenever it has been expedient to approach the bench. It also thanks the district attorney for his capable assistance in many instances. Though during the past year not very much has been asked of the county committees, wherever it has been necessary for them to act in any case they have responded promptly and effectively and the general work of the association has been promoted by their aid. During the year 1892 the county committees will be reorganized and a number now inoperative will be put on a sound and working basis.





STATE OF NEW YORK.

No. 41.

IN SENATE,

APRIL 28, 1905

SIXTIETH ANNUAL REPORT

OF THE

PRISON ASSOCIATION OF NEW YORK
FOR THE YEAR 1904.

THE PRISON ASSOCIATION OF NEW YORK,
135 EAST FIFTEENTH STREET,
NEW YORK, April 28, 1905

HON. MATHEW LINN BRUCE, *Lieutenant-Governor, New York:*

Sir.—In accordance with chapter 163 of the Laws of 1846, have the honor to present the sixtieth annual report of the Prison Association of New York, and to respectfully request that it will lay the same before the Legislature.

Respectfully yours,

EUGENE SMITH,
President

S. J. BARROWS,
Corresponding Secretary.



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OFFICERS FOR 1905.

President.

EUGENE SMITH.

Vice-Presidents.

WILLIAM P. LETCHWORTH, Rev. WENDELL PRIME, D. D.,
FELIX ADLER, ROBERT W. DE FOREST.

Secretary.

SAMUEL MACAULEY JACKSON.

Corresponding Secretary.

SAMUEL J. BARROWS.

Treasurer.

J. SEELY WARD, JR., 135 East Fifteenth Street, New York City.

Executive Committee.

Eugene Smith,

W. W. Battershall,	Richard A. McCurdy,
F. P. Bellamy,	James McKeen,
B. Ogden Chisolm,	Edward B. Merrill,
J. Fenimore Cooper,	Frank D. Pavey,
Austin Flint, M. D.	Eugene A. Philbin,
Cornelius B. Gold,	Dean Sage,
J. W. S. Gouley, M. D.,	Decatur M. Sawyer,
Wm. H. Gratwick,	William J. Schieffelin,
Henry E. Gregory,	Gino C. Speranza,
Alexander M. Hadden,	J. G. Phelps Stokes, M. D.,
John W. Hutchinson,	Evert Jansen Wendell,
Samuel Macauley Jackson,	Mornay Williams,
	James Wood,

STANDING COMMITTEES FOR 1905.

Law.

Messrs. McKeen, Philbin, Speranza, Pavey, Merrill and Wood.

Discharged Convicts.

Messrs. Hadden, Schieffelin, Gregory and Sawyer.

Library.

Messrs. Jackson, Chisolm and Wendell.

Detentions.

Messrs. Stokes, Williams, Sage, Gregory and Philbin.

House.

Messrs. Hutchinson, Bellamy and Flint

Finance.

Messrs. Schieffelin, Jackson, McKeen, Stokes, Gold and Ward

PREFACE.

The sixtieth annual report of the Prison Association of New York covers the calendar year for 1904. The donations reported are limited to that year. Contributions made since January 1, 1905, will be acknowledged in the next annual report.

In view of the fact that the development of the reformatory system in the State of New York is the most notable achievement in the last sixty years, the matter descriptive of penal institutions in this report is devoted especially to an illustration of the method and working of the reformatory system, both for men and women in the State of New York. To make space for these articles, reports of inspections of jails and other institutions which have been described in the two previous years, are omitted in this report.

REPORT OF THE EXECUTIVE COMMITTEE

To the Honorable the Legislature of New York:

For the sixtieth time in its history the executive committee of the Prison Association of New York has the honor to present its annual report. The fact that for three score years it has been the privilege and duty of the officers of this association to lay before your honorable body information and suggestions concerning the penal system of the State invests this report with a certain historic interest. A brief retrospect of this significant period in the history of the association and the history of the State seems appropriate.

The formation of this association was due to the humane initiative of a prominent New York judge, Hon. John W. Edmonds. Not satisfied with the routine of court work, he personally visited the penal institutions. He was made president of the board of inspectors of the State prison at Sing Sing. Impressed with the need of doing something to aid convicts after their discharge, he caused to be inserted on the 3d of December, 1844, a card in the papers of New York city calling attention to their destitute condition, and appealing for aid in the formation of a Prison Association. The notice, signed by "John W. Edmonds, president board of inspectors," was dated November 23, 1844. It was accompanied by a call for a public meeting to be held at the Apollo rooms, 410 Broadway, on Friday evening, December 6. This call was signed by sixty-two gentlemen, many of them prominent in social, commercial, and civic life. Among the signers were Theodore Frelinghusen, W. T. McCoun, Eleazer Parmly Gardiner Spring, John Jay, William Cullen Bryant, Robert B.

Minturn, Henry Grinnell, Henry W. Bellows, Orville Dewey, Henry Anthon, James Harper, Daniel Lord, Jr., Isaac T. Hopper, Wm. Henry Channing, Horace Greeley, John A. Dix.

In response to this call a large meeting of prominent citizens was held on the 6th of December at the Apollo rooms. The meeting was organized by the appointment of Hon. Wm. T. McCoun, vice-chancellor, president; Rev. Dr. Gardiner Spring, and Gen. Prosper M. Wetmore, vice-presidents, John L. O'Sullivan and John Jay, secretaries.

At this meeting Judge Edmonds gave an extended address showing the need of forming a prison association. A resolution offered by him to that effect was seconded and supported by Rev. Wm. H. Channing. A valuable paper on prison discipline was read by Professor Tellkamp. Isaac T. Hopper related his experiences with discharged convicts.

As the result of these preliminary efforts the Prison Association of New York was formed. An auxiliary association called "The Female Branch of the Prison Association of New York" was also formed which subsequently became an independent association and is still actively engaged not only in aiding women prisoners but in securing necessary legislative and administrative reforms in our prison system.

As finally organized in 1844 the principal officers of the Prison Association were: President, Hon. Wm. T. McCoun, vice-chancellor; vice-presidents, Theo. Frelinghusen, Abraham Van Nest, Benjamin F. Butler, John W. Edmonds; treasurer, G. A. Worth, president of the City Bank; recording secretary, William C. Russell; corresponding secretary, William H. Channing.

The objects of this association as set forth in this constitution were as follows:

"1. The amelioration of the condition of the prisoners whether detained for trial or finally convicted, or as witnesses.

2. The improvement of prison discipline and the government of prisons, whether for cities, counties or states.

3. The support and encouragement of reformed convicts after their discharge by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reform."

In 1846 the association was incorporated by an act passed May 9, 1846, by a two-thirds vote of the Legislature. By its charter the executive committee were empowered "to establish a workhouse in the county of New York, and in their discretion to receive into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city."

The association, did not, however, avail itself of this authority to maintain a public workhouse, a function which would have carried with it the responsibility of penal administration.

Another section of the charter devolved upon the executive committee and such committee as they should from time to time appoint, the duty of visiting and examining all prisons in the State, and annually reporting to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline; with the provision that such examination or inspection should

be made under an order for that purpose to be granted by the chancellor of the State or one of the judges of the Supreme Court or by other judges designated.

Such was in brief the origin and purpose of the Prison Association of New York. The association began when the population of the city of New York was but 500,000, and the population of the State but 2,604,495. The city was confined to narrow limits with a business and resident portion hardly extending above Fourteenth street. Of twenty-four ladies whose addresses as members of the executive committee of the female department were given in 1845, but one lived as remotely "up town" as Twenty-second street; all the rest lived south of Tenth street. From the standpoint of population and its distribution the field of work of the Association was but limited at that time compared with its present broad field of work.

EARLY CONDITIONS.

A review of the conditions and motives which led to the formation of this Association shows that its founders had a strong grasp of principles which to-day have come to be recognized as fundamental in all penological work. One object of the Association as explained by Rev. William Henry Channing at its first meeting was to "insure the *permanent* establishment of a reformatory system in our penitentiary and to produce a spirit of humanity and justice in the community." Indifference and neglect were characteristic of the prison system of the time; positive cruelty in the administration of punishments was of frequent occurrence. In the year previous to the organization of the Prison Association nearly 3,000 lashes a month were inflicted on male prisoners at Sing Sing. The introduction of a *milder method of administration* began under the influence of

Judge Edmonds and the committee on prison discipline of this association.

Judge Edmonds advocated better classification and a system which aimed "not at the infliction of retributive pain upon the prisoner, but at his reformation, which seeks not to convert his prison house into a den of despair, on whose gates shall be inscribed the injunction to leave all hope behind, but to make it a penitentiary, where the lost may be saved, and where to the penitent offender hope may still dawn with its cheering light."

Already at that time there was an old spirit and an old system on the one hand, and a new system and a new spirit on the other. It was possible in 1844 still to look back to a time when prisons were regarded as places of torment. It had already begun to be recognized that the true object of a penitentiary system was to reform offenders. Judge Edmonds in his address at the meeting for the organization of the association spoke of the active contest that was going on here and in other countries between the Auburn and the Pennsylvania plans, then distinguished as the silent system and the separate system; and he pointed out that the contest was not as to which should be most successful in inflicting suffering, but which should be most triumphant in leading back the prisoner to "the path of virtue and reform." Two prison societies then existed in the United States; one, the Boston Discipline Society, which had then issued its nineteenth annual report, and the Philadelphia Prison Society which had existed, with a brief intermission during the revolutionary war, since 1776. The Boston society has since ceased to exist, but its good work has been carried on by the Massachusetts Prison Association and the Society for Aiding Discharged Convicts.

The contest between the two prison systems referred to has

long since been closed in this country. The eastern penitentiary at Philadelphia remains now the only example in the United States of the separate system. At the meetings of the international prison congresses the discussion still survives; for several countries in Europe, notably Belgium and Holland, and to some degree France, have adopted the separate system.

It is interesting to note that one of these systems "the Auburn system," was developed in this State and that its name is still used in Europe to designate the congregate system.

Meanwhile, however, another system has also been established and developed in this State which has furnished the model for other states and countries, namely, the reformatory system for adults, or the Elmira system as it is called abroad.

IMPORTANT CHANGES IN SIXTY YEARS.

In the period of three score years, covered by the history of the Prison Association of New York important changes have been made in the prison system of this State. Some of these changes may be directly traced to the initiative and activity of this association; others are due to the same intelligent and humane spirit that led to its formation, and which is continually finding expression in the spirit of our age. Without attempting to name them in chronological order or to give the history of their introduction some of the most important changes in our penal system which deserve to be mentioned are the following:

1. The establishment of the Elmira reformatory, the pioneer reformatory institution for adult felons.
2. The incorporation of the indeterminate sentence and the parole law into our legal system.
3. The separation in general of juvenile and older offenders.

4. The establishment of reformatories for women, with women as officers.
5. The establishment of hospitals for insane criminals.
6. The abolition of cruel and extreme punishments in prisons.
7. The adoption of the suspended sentence and the probation system.
8. The appointment of police matrons.
9. The establishment of children's courts.
10. The abolition of the lockstep, and in part of striped suits in State prisons.
11. A general improvement in jail construction.
12. The substitution of death by electricity for hanging in capital cases.
13. The abolition of public executions.
14. The establishment of prison schools.
15. The establishment of a hospital for prisoners affected with tuberculosis.
16. The extension of the civil service system to the State prisons.
17. The introduction of a system of identification of prisoners.

Of these changes the establishment of the Elmira reformatory and the adoption in connection with it of a grading and marking system and the indeterminate sentence is the most conspicuous and far-reaching event. It was largely through the efforts of this association that this institution was founded. When in 1876 Mr. Z. R. Brockway went before the judiciary committee of the Senate urging the passage of the indeterminate sentence law, the chairman remarked: "This measure will not be opposed in the Legislature; public sentiment is ready for it, made so by the influence of the reports and the discussions of the Prison Association of New York."

The prophecy was fulfilled. The foresight and exertion of the association were rewarded not only by the passage of the act but by the distinguished success of the institution thus founded. This success was chiefly due to the personality of the man to whom the work of developing the reformatory was entrusted. Utilizing the grading and marking system and free from the limitations of the definite sentence, with a remarkable grasp of the fundamental principles of the new penology and with great resource in their application to the individual offender, Mr. Z. R. Brockway succeeded in developing an institution which became a model of its kind for the whole world. Its success in this State has led to the founding of similar institutions in Massachusetts, Pennsylvania, Illinois, Indiana, New Jersey, Minnesota, and Wisconsin, and steps have been taken for establishing them in other states.

The successful application of the principle to the reformation of men and the establishment in Massachusetts in 1877 of the State prison for women at Sherborn, which for many years was conducted under the leadership of the late Mrs. Ellen C. Johnson, led to the establishment of three reformatories for women in this State, in addition to the State prison for women at Auburn. These institutions are at Albion, Hudson, and Bedford. The institution at Hudson has recently been reorganized so as to be classed with the institutions for juvenile female offenders.

Upon no advance in their penal system may the people of New York look with more satisfaction than upon the establishment of the reformatory system. Its total cost is relatively small compared with what it has saved the State morally and financially. The results obtained in this quarter of a century are now as certain as any other class of sociological facts. It can be said in a *broad way* that 80 per cent. of those committed to Elmira who

are really first offenders and are not youthful repeaters from other institutions, become industrious and law-abiding citizens.

The institution has passed through vicissitudes of legislation and administration. It is a source of great satisfaction to the board of managers, that in calling to the superintendency Joseph F. Scott, who for many years was superintendent of the Massachusetts State Reformatory, they have secured a worthy successor to Mr. Brockway. At this writing Mr. Scott has been in charge a year and a half, and the effect of his firm, corrective discipline and the force of his commanding personality are seen in the moral reinvigoration of the institution after the serious decadence in tone which followed the resignation of Mr. Brockway. Important reconstruction is going on in the buildings which will greatly improve the physical condition of the plant.

The population of the State has greatly increased since the establishment of the Elmira reformatory. It was early seen that additional accommodations would be necessary to relieve it from overcrowding. To this end the State undertook the building of another State reformatory. It was established at Napanoch, N. Y., and called the eastern reformatory. The history of this institution has been traced in the fifty-seventh report of this association. While its conception was a credit to the State, the manner in which the plan has been carried out is extremely unsatisfactory. One element in the success of the Elmira Reformatory has been its freedom from political dictation. Napanoch on the other hand owes its failure to the large extent to which partisan politics has entered into its fortunes. Had this institution been retained under the board of managers of the Elmira Reformatory, or under the charge of a board of managers equally unpartisan; had the Legislature voted a sufficient sum of money

to complete the institution and equip it with shops, trade schools, and a competent staff of instructors, under a competent superintendent, there is no reason why Napanoch should not have been as successful as Elmira. The institution is lacking, however, in every important requisite necessary for the efficient training and discipline of a reformatory. At present it is but a reformatory in name.

An essential feature of the reformatory system is the indeterminate sentence law. It is gratifying to be able to say that this law has become so firmly embedded in the legal system of the State that all attempts to dislodge it on technical or unconstitutional grounds have failed. The success of the law as applied to Elmira has led to its extension within certain limits to prisoners committed to other State prisons. The extension was rather timidly made and it is to be hoped that the Legislature will at the present session remove the limitation as to five-year prisoners and apply it to those whose maximum penalty may be twenty years or less.

The advantages of extending the parole law, which is an essential part of the indeterminate sentence, were set forth in detail accompanied by a large amount of evidence in the last report of this association. It is to be regretted that opposition to the indeterminate sentence and parole law still comes from the bench. Certain judges are unwilling to relinquish their traditional privilege of fixing the exact duration of the detention of the prisoner. While under a system purely punitive there may be logic in measuring off to a day the amount of punishment to be inflicted, there is no reason or logic, under a system which is curative and reformatory, in fixing definitely the duration of the sentence. The *interests of the prisoner* as well as the interests of the State

are much better considered and secured under the indeterminate sentence than under the arbitrary and capricious imposition of a definite sentence. It is very hard for many judges to abandon the merely punitive idea. Those who have done so and who consider the main object of a penal system to be the protection of society and the reformation of the prisoner become ardent advocates of the indeterminate sentence. This reform has already been introduced in other states and has been recognized by some of the most prominent European jurists as a fundamental principle of the new penology.

The influence of the humane spirit has greatly modified in many directions the treatment of criminals in the State of New York. Positive cruelty as seen in merciless flogging sixty years ago and in the brutality of prison wardens and keepers has disappeared. Wherever it crops out as it occasionally may it is the rare exception, not the rule. Our prison officials are humane men and though a brutal guard may now and then be guilty of cruelty the protections thrown around the prisoner are such that under the State prison system such a guard would promptly be dismissed. Such abuses are much more likely to occur under the variable county system, than under State control.

But while positive cruelty once sanctioned and encouraged by law has been abolished, another form of cruelty still exists. It is that which comes from neglect and indifference. It is not so much a neglect in the administration as neglect in providing properly constructed jails and prisons, so that men may be removed from society and placed under a corrective discipline without breaking down their health. The responsibility for bad jails does not rest upon the sheriff or warden, but upon the community which fails to provide proper institutions. Many of our

counties have not become fully alive to their social and ethical obligations in this direction. They recognize the responsibility of the prisoner to society, but not the responsibility of society to the prisoner.

The abolition of the lockstep and of striped suits is in the direction of removing prescriptions which break down the self-respect of the prisoner. In a reformatory system it is important to preserve and develop the self-respect which the older system aimed to destroy. Different suits to represent different grades in prison and to distinguish the prisoner from citizens at large may be very necessary; but there seems to be no necessity for making the prisoner look like a tailor-made zebra. We have stopped the practice of inflicting stripes upon the prisoner's body; it is no longer necessary to inflict them on his clothes, except as badges of honor and merit.

The substitution of death by electricity for capital crimes marks an advance in two directions. Execution by electricity is instantaneous and therefore more humane, but it also means the abolition of public executions. One reason why the gallows was so long retained was because the whole apparatus favored publicity and the deterrent effect which was supposed to attend it. New York has not yet become willing to follow the example of several other states in abolishing capital punishment altogether.

On the whole subject of the treatment of juvenile offenders marked advance has been made in these sixty years. We have just now entered upon the new era of the children's court, which marks a change in our judicial system of great importance. We cannot say yet that we have reached perfect methods in its administration. The most brilliant success achieved under this system has been in Colorado under the administration of Judge

B. B. Lindsey. This is due not so much to better laws as to the devotion and enthusiasm of the judge and the public support accorded him, and the cooperation of parents, teachers, and the police.

In the treatment of juvenile offenders, committed to institutions, we are now in a transition period from the congregate type of the older institutions to the segregate or cottage system. The whole weight of experience and judgment now favors the development of the cottage home system, and the New York Juvenile Asylum has decided to adopt it, and has erected fifteen cottages and two principal buildings near Dobbs Ferry on the Hudson river. The Rochester Industrial School and the institution at Randall's island are about to enter upon new experiments in this direction.

The probation law is another legal feature which has now become a fixed part of our penal system. The Legislature was prompt to pass the law and has been equally prompt in improving it by amendments, when attention has been called to this necessity. The law must be regarded as one of the most beneficent and most important that has ever been enacted. Its moral and economic results are beyond question. Its limited application is largely due to the lack of paid officers. It is evident that this work cannot be done as it should be without paid probation officers, and that for such payment we must rely upon public funds rather than upon support by private individuals or charitable societies.

The work done by such societies or individuals has already sufficiently demonstrated the advantages of the probation system. The next step ought to be in the direction of securing a large number of paid probation officers chosen and trained espec-

for this work. An important step in this direction was taken by the Legislature last year in authorizing the payment of salaries to women probation officers and the city of New York availing itself of this authority has already appointed and salaried twelve women probation officers in the different boroughs constituting Greater New York.

The time seems ripe for further expansion, development, and coordination of our probation system. Should the Legislature approve the proposition now before it to appoint a commission to investigate the operation of the probation system in this and other states valuable data will undoubtedly be obtained for such a reorganization.

BACKWARD STEPS.

The record of sixty years of progress in New York State is gratifying. But advocates of progress have not only had to contend with the inertia of a conservatism which prefers to keep things as they are, but have had to contend with a reactionary spirit which, if not checked, would undo the good work already accomplished. The reactionary spirit is far less common among those who administer prisons and know something of conditions and needs than it is among those who have had no practical experience with the problem and little education concerning the principles of penology. This reactionary spirit is sometimes found among legislators, sometimes among judges who hark back to ancient traditions, and it is sometimes taken up by a reactionary press. A part of the work of the Prison Association in these sixty years has been to exercise vigilant watchcare lest good laws should be repealed and a good system overthrown. From year to year many propositions are brought before the Legis-

lature which, if adopted, would seriously interfere with the successful working of our prison system. The respectful and patient hearing given by legislative committees to representatives of this association in opposition to such measures, has happily resulted in a great majority of these cases in preventing serious mischief.

In some instances, however, it has not been possible to prevent the passage of measures which have been a great hindrance to the administration and development of our prison system. The most important of these reactionary measures has grown out of the labor agitation of the last twenty-five years. A somewhat hysterical alarm as to the supposed effect of the competition of prison labor with free labor led to the passage of the Yates law in 1888, which interdicted productive labor in prisons except only the manufacture of articles needed in the public institutions of the State. The disastrous effect of this law was set forth in the fiftieth annual report of this association. "It abolished labor in the prisons, and the convicts, confined in their cells, and debarred from employment, made piteous appeals to the authorities to be allowed to go to work; as the idleness continued the prisoners constantly deteriorated morally and physically; they became more and more restive and mutinous, until the prisons were seriously threatened with outbreak and riot."

This law was so bad and its evils were so strikingly manifested that it was repealed the following year. To remove any just cause of complaint from free workmen engaged in any special trade from the competition of prison labor, a codification of the prison laws was adopted, known as the Fassett law, of which the fiftieth annual report of this association said that it had "received universal commendation as the most enlightened and scientific system of prison law ever enacted in the United States."

This association, in the course of its history has taken ground from time to time against abuses resulting from the contract labor system. It has protested against using prisoners merely as a source of income for the State; it has been opposed to any artificial manipulation of prices or any organization or prison labor which would bear harshly or unjustly upon free labor. The Fassett law adequately protected the interests of free labor and left no ground for further complaint. Agitation, however, did not cease. The more extreme of the labor agitators were not content until they had forced the larger part of the prison population of this State into compulsory idleness. The responsibility for this extreme reactionary measure rests not upon the Legislature, but upon the constitutional convention of 1894. The insertion in the constitution of a prohibition as to the sale of prison-made goods in the open market was a backward step the serious nature of which was fully recognized by the officers of this association. Prompt and earnest protest was made against it. It was pointed out that productive industry is an indispensable instrumentality for the reformation of the convict; that idleness is ruinous to the prisoner, and that the proposed amendment would add an enormous burden of taxation to those previously borne by the people of the State.

The protest was not heeded. Overlooking the economic and humane aspects of the problem, the labor leaders sought a solution in a provision, the effect of which has been to lay a heavier burden upon the working man of the State than the hypothetical burden it was intended to relieve.

Sixty years ago, in the second report of this association in 1845, the question was asked "Why should not the able-bodied inmate of a prison who can with ease earn his seventy-five cents or a

dollar a day outside as easily earn inside the thirty or forty cents that it costs to support him there?" Precisely the same question is pertinent to-day, and the answer is that the prisoner can earn his support unless by law prevented from doing so. In certain states of the Union prisoners are a source of pecuniary profit to the states; in others they work enough to pay all the expenses of their maintenance. In New York State the vast majority of prisoners are maintained in idleness, and the burden of supporting them falls upon the industrious people of the State. It is clear that the constitutional amendment created a heavy burden for the taxpayer, the weight of which is not limited to the cost of boarding idle prisoners. A more serious result is that prisoners in jails and penitentiaries are trained in habits of idleness which swell the ranks of mendicants and vagrants.

In the State prisons the evil effects of the constitutional amendment have been partially remedied by the establishment and development of different industries; but the population of the State prisons forms but a small proportion of the total number of prisoners annually confined in the State. Attention is respectfully called to the fifty-ninth annual report of the association, that for last year, in which it is shown that the only way to reduce still further the evils growing out of compulsory idleness in jails and penitentiaries is to place all sentenced prisoners under State control with a proper assignment of industries and the marketing of the product by the State.

THINGS THAT NEED TO BE DONE.

This association has from the beginning moved on practical and economical lines. It has not advanced revolutionary or chimerical measures. It has not expected that progress could

be attained by violent leaps. It has sought to move forward step by step. An important part of its work is in educating public sentiment throughout the State in the direction of intelligent and humane progress.

Gratifying as is the progress that has been made in the last sixty years in the State there are still many things to be done to improve conditions and to make our penal system and penal administration what they ought to be. We therefore submit to your honorable body the following suggestions:

1. All persons convicted of violating State laws whether the violation be a felony or misdemeanor, should be committed to the custody of the State.

2. The State should assume control of all penal institutions, to which persons under sentence are committed. It is altogether illogical that prisoners convicted of felony should be committed to the care of the State and those convicted of misdemeanors to the care of the counties. The penitentiaries in the State are well situated to serve as district prisons or houses of correction for misdemeanants, and might be acquired by the State and used for this purpose. County jails would then not have to deal with the problems of prison labor, discipline, or reformation; they should simply be reserved for those awaiting trial.

3. The prison administration should be entirely freed from partisan politics. In the last sixty years much progress has been made in this direction. A civil service system has been developed which to a large extent protects the State prisons from the ravages of the spoilsman. The provision of the Constitution forbidding a sheriff to succeed himself makes it difficult to apply the civil service system to the county jails where the advent of a

new sheriff means usually the advent of a new jailor. But the committal of all persons to State institutions would greatly simplify the function of the jailor, who, as already indicated, would then have in his custody only persons awaiting trial.

4. Persons accused of crime are presumed under the law to be innocent until proved guilty. The maintenance of jails simply for accused persons and not for those under sentence would render it much easier to maintain the separation of these two classes of prisoners required by law. In some jails the quarters to which accused persons are committed are worse than those for convicted prisoners; and in some jails the laws as to separation are entirely unheeded.

5. An excellent probation law is now on the statute book. Its possibilities have already been demonstrated. Its success depends largely upon the magistrates and upon the officers they appoint. With the extension of civil service rules to the probation system probation officers should be paid by the State and a sufficient number appointed to do thoroughly the work of investigation and surveillance, which can only be done imperfectly by private organizations.

6. Imbeciles and feeble-minded persons should no longer be punished as if they were responsible. Those committing acts defined as criminal should be sent for custodial treatment to an institution, or some department thereof, especially provided for such unfortunates.

7. Confirmed inebriates should be committed to inebriate hospitals under State control. The present legal treatment of drunkenness is inadequate both from the standpoint of society and that of the victim.

8. The indeterminate sentence should be made applicable to all classes of prisoners, whether misdemeanants or felons.

9. Until the indeterminate sentence becomes general the parole system should be extended so as to apply to long-term prisoners. Attention is called to the brief on this subject containing much testimony as to the experience of other states submitted in our last annual report.

10. The reformatory system should be extended. The prison at Napanoch should be equipped with trade schools and whatever else is necessary to thoroughly furnish it for its work as a reformatory. It should have at its head a man trained in this special department of prison work. Buildings and an official title do not constitute a reformatory.

11. Elmira and Napanoch, when properly organized, manned, and equipped, can accommodate offenders convicted of felony who are susceptible of reformatory treatment; but there is urgent need of a State reformatory for misdemeanants, covering the same period of age as is covered by Elmira.

12. Professional criminals and recidivists should be permanently removed from society, submitted to a firm, but humane discipline, and utilized by the State.

13. The scandal and disgrace of such a prison at Sing Sing should no longer be permitted. It is a breeding place for tuberculosis; a menace not only to the health of prisoners, but to the health of the community. It has been repeatedly condemned by this association, by the State Commission of Prisons, and the Superintendent of Prisons. Attention is called to the report of the eminent specialist in tuberculosis, Dr. S. A. Knopf, in regard to its condition, which confirm investigations previously made *this subject.*

Auburn though not as bad as Sing Sing is an antiquated and outgrown prison. Both of these institutions should be replaced by prisons erected on modern principles as to health and sanitation.

14. County jails condemned as antiquated and unsanitary should be rebuilt in accordance with the requirements of the State laws and of penological science. No prisoner should be condemned to unhealthful quarters or deprived of sunshine and exercise in the open air, under proper restrictions.

15. The antique system, abolished in most civilized countries, of paying sheriffs so much a day for each prisoner they keep, still prevails in one-third the counties of New York State. It is a method liable to the greatest abuse, for it is to the interest of the sheriff to have as many prisoners as possible for the sake of increasing the expenses of the county. It should be abolished throughout the State and give place to a salary system.

16. The enforced idleness of prisoners sentenced to county jails and to some of the penitentiaries is lamentable and unpardonable. Daily labor is necessary for the physical and moral welfare of prisoners. The law of the State which says: "*Such keeper shall cause each prisoner committed to his jail for imprisonment under sentence, to be constantly employed at hard labor when practicable, during every day except Sunday,*" is totally disregarded in three-fourths of the counties of the State. We have already pointed out that the only adequate relief for this condition of affairs is to be found in State control; but so long as the county system is maintained, supervisors should provide sheriffs with the means of employing prisoners, and sheriffs should be held to a strict observance of the law.

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17. The law of the State requiring the separation of prisoners in county jails should be enforced. It is habitually disregarded in most county jails. First offenders are thrown promiscuously together with the old rounders, and under such circumstances the jail becomes a school of vice maintained at a sad cost to the State.

EUGENE SMITH,

President.

SAMUEL J. BARROWS,

Corresponding Secretary.

REPORT OF THE CORRESPONDING SECRETARY.

Starting as a local organization sixty years ago the Prison Association of New York not only has a field of activity co-extensive with the State, but as its correspondence shows is brought into affiliation with representatives of penological reform in all parts of the country and in Europe. During the last year, the corresponding secretary has answered letters coming from thirty-five states of the United States in regard to different phases of the work of this association or concerning matters of legislation. He has also corresponded with persons in England, Scotland, France, Switzerland, Italy, Belgium, Germany, Hungary, Norway, Holland, Capetown, South Africa, Sidney, New South Wales, and Tasmania. It is interesting to receive letters from remote quarters of the globe asking for information in regard to our probation system, children's courts or the reformatory system in the United States. The library of the association and its other resources are freely placed at the disposition of such inquirers. The fact that the corresponding secretary represents the United States on the International Prison Commission enables him on the one hand to use the documents prepared for it in answering many inquiries coming directly to this association, while it is of great advantage to be able to use the library of the Prison Association in answering questions sent to the commissioner for the United States.

In addition to extensive correspondence, several persons from abroad have come to the United States to pursue inquiries in

regard to our penal system. Such persons are always welcomed at our office and furnished with every facility that we can command. Among the visitors who honored us in this way during the last year was Dr. Paul Herr of Leipsig, Dr. A. Hartman of Berlin, Mr. Edward Grubb, secretary of the Howard Association of London, and Mr. Inani of Japan.

The Interparliamentary Union, composed of members of the different parliaments of the world, held its twelfth meeting in September at St. Louis. The members to the number of 230 were the guests of the government of the United States and at its invitation, made a tour of 4,500 miles in the United States. As a member of the committee of entertainment and reception, appointed by the secretary of the treasury, it was my privilege to welcome the foreign delegates at our office. It is a great satisfaction to find that many of the members of the Union, still in active service in the parliaments of their respective countries, are greatly interested in various aspects of penology. Some of them took occasion to visit the children's courts and penal and charitable institutions.

Our correspondence shows that members of charitable organizations are coming into closer relation in their work. Librarians and legislators figure largely among our correspondents. The subject on which greatest interest is exhibited at the present time in this country, is the children's courts.

To meet the constant demand for such information I have prepared a report for the International Prison Commission made up largely of papers prepared by judges of children's courts in all the cities in which the court has yet been established. This report (Fifty-eighth Congress, second session, H. R. Document No. 701) has been widely distributed and is still in constant

demand. Applications for it sent to me will receive prompt attention. It is distributed, like all documents of the International Prison Commission through the Department of State.

The corresponding secretary has been called upon as usual to represent the association in various public gatherings and has availed himself of opportunities to give addresses and lectures concerning different aspects of our work.

June 15-21, I attended the meeting of the National Conference of Charities and Correction at Portland, Maine. The meetings in the section on the treatment of the criminal, under the chairmanship of Dr. F. H. Wines, were replete with interest. Impressive and inspiring was a meeting in which an address prepared by our late lamented president, Charlton T. Lewis, was read by Dr. Wines, who paid a tender tribute to his memory. While the treatment of delinquents forms but a small part of the general proceedings of this conference, yet it is of great importance to study this subject in relation to problems growing out of the dependent and defective classes. It is of the utmost value also to meet workers in these closely allied fields and to exchange views and experience.

On August 16, 1904, I gave an address before the Friends' General Conference, held at held at Toronto, Canada, on "Inhumanity as a Cure for Crime."

August 17, I visited the jail at Whitby, Ontario, and was pleased to note the opportunity which Canadian jail prisoners have for working in the jail yard in the open air. This feature of outdoor exercise is constantly neglected in a great number of American jails.

The session of the National Prison Association was held October 15-20 at Quincy, Illinois. It brought together a good

attendance, especially from the Central West, and its sessions were full of interest and profit. A varied program brought out both the practical and theoretical side of the congress. The practical men are largely represented in the wardens' association, the men who have to deal directly with the prisoner and with the problems of prison administration. But it would be a mistake to suppose that the vision of these men is limited only by the narrow detail and routine of their occupation; some of the noblest prophets of the "New Penology" are to be found among the superintendents of our prisons and reformatories. Our wardens' association represents not merely the repressive, but the reformatory spirit. Discussions are held on a higher plane than they were twenty-five years ago.

The Prison Association of New York was represented at the meeting of the National Prison Association by its president, Mr. Eugene Smith, who read a paper on "Is Crime Increasing in the United States?" and also by the corresponding secretary.

The corresponding secretary attended and addressed a meeting held at Orange, N. J., December 6th, in regard to discharged prisoners. Rev. A. M. Fish, chaplain of the State Prison, of Trenton, N. J., who is chairman of the committee on discharged prisoners of the National Prison Association, is deeply interested in developing some effective organization for such work in New Jersey. Prison chaplains know the value of public sentiment and wise cooperation in this work.

THE ELMIRA REFORMATORY.

In the report of the executive committee attention has been called to the most important changes effected in the penal system of New York State in the last sixty years. Emphasis has justly

been laid upon the establishment of the Elmira Reformatory, the pioneer reformatory institution for offenders convicted of felony between the ages of 18 and 30 years, and the adoption in connection with it of a grading and marking system and the indeterminate sentence as a most conspicuous and far-reaching event in the period of threescore years. It seems especially appropriate therefore in this report to call attention to the present condition of the reformatory.

The necessity of a prison established on reformatory principles for offenders above the age of legal minority, but not beyond the age of corrigibility, was early felt by leading members of the New York Prison Association. Judge Edmunds, Professor Theodore Dwight, Dr. E. C. Wines and John Stanton Gould were prominent in the agitation for such an institution. A law was passed in 1886 providing for the building of a reformatory prison at Elmira. The work went on very slowly, and it was not until 1876, and after \$700,000 had been spent, that the institution was ready to receive a small number of prisoners.

But as yet it was merely the shell of a reformatory and even in a physical sense incomplete. The men interested in its establishment knew that, after all, the building is only an instrument for a reformatory; and that to get the right man to establish and develop the right system was more important than anything else.

A new board of managers was appointed. An important responsibility rested upon them, that of finding the man who should take charge of and develop the new institution. The superintendent of the House of Correction of Detroit had already become conspicuous among the members of his profession in this country on account of his progressive ideas and methods. Mr. Z. R. Brockway not only possessed a practical knowledge of all the

details of prison administration combined with capacity to handle men, but also possessed a philosophical and ethical spirit which made him deeply interested in the larger theoretical aspects of penological problems. He was born in Lyme, Connecticut. His father was director of the Connecticut State Prison. He was early brought into contact with General Pilsbury then at the head of the Albany penitentiary, who invited him to become his assistant. Subsequently he had charge of the Albany almshouse for two years and supervised the building of the first county insane asylum. The Monroe county penitentiary at Rochester was in the course of erection, and Mr. Brockway was called to that institution and was there seven years. He was then appointed superintendent of the Detroit House for Correction and was there for thirteen years.

Mr. Brockway had thus served nearly twenty-five years as a prison officer before being called to Elmira. He not only knew the whole routine of prison work on its practical and financial sides, but in addition to reading extensively on the subject of penology, had done a good deal of private thinking. Six years before he was called to Elmira, Mr. Brockway presented in October, 1870, to the first National Prison Congress a report which created a marked sensation. In that report Mr. Brockway said:

"The central aim of a true prison system is the protection of society against crime, not the punishment of the criminal.

The causes of crime are primarily in the person; secondarily, in the circumstances that surround him.

The change sought in the character of criminals (called reformation) is of a practical nature, and has to do with daily life in ordinary social relations.

The reformatory should contain dormitories, affording to each *prisoner a separate room, such as a respectable citizen might occupy; a dining hall upon the plan of a well-regulated restaurant*

for work people; a library building and public hall, suitable for reading rooms, religious services, scientific, and other intellectual exercises of a public nature; suitable industrial apartments for the branches of mechanical business carried on; the whole to be organized substantially upon the cooperative plan.

Sentences should be indeterminate; all persons convicted of crimes to be committed to custody until they may be returned to society with ordinary safety.

The true basis of classification for prisoners is *character*, not conduct; good conduct may be assumed, but good character never.

Intellectual education must take a more prominent place. Education occupies the time and affords society in solitude, whose tendency otherwise is always deteriorating."

The statement of "principles of penitentiary and reformatory discipline made by the National Conference at Cincinnati, shows as does Mr. Brockway's paper, that the prison reform movement in the United States had finally become based on a foundation of enduring principles. One can not fail to recognize in this statement of principles the influence of Maconochie of England, whose ideas were far in advance of his power or opportunity to realize them. Sir Walter Crofton with more practical success had developed the marking system in Ireland and contributed a paper on "The Irish System of Prison Discipline" to the same National Prison Congress of 1870.

In calling Mr. Brockway to the charge of the Elmira Reformatory in 1876, the State of New York secured a man who had served his apprenticeship in this state and who was to take ideas and principles of Maconochie and Crofton and give them new and fruitful illustration. Furthermore, Mr. Brockway, an independent thinker, was glad of an opportunity to work out his independent ideas.

In 1876 he found at Elmira incomplete buildings and an incomplete law. He drafted in 1877 the indeterminate sentence law, embodying the vital principles upon which the reformatory has

since been developed in this and other states. A somewhat similar law, passed by Michigan in 1872, was declared unconstitutional in that state, and it is only within two years that an amendment to the constitution of Michigan has enabled the Legislature to re-enact such law. In New York State, repeated efforts have been made to overthrow by legal decisions the indeterminate sentence law; but its constitutionality has been maintained and it still remains the impregnable legal foundation of the institution.

But no legal basis, however firm, would have been sufficient for a superstructure without the experience, sagacity, administrative ability and personal force of the superintendent. In such a work nothing can take the place of personality. The success of the institution is mainly due to the fact that the board of managers gave to Mr. Brockway all the liberty that was needed for a man of his power and genius. The institution developed along rational and ethical lines; it was an economic and industrial success.

The history of the reformatory movement is no longer simply the history of Elmira Reformatory; that institution has been the model for institutions in other states, and to form some idea of the breadth of the movement and its larger results, in this country we refer our readers to a report on the Reformatory System in the United States (56th Congress, H. R. Doc. No. 459). This volume, in addition to a general introduction by Samuel J. Barrows, Commissioner for the United States on the International Prison Commission, contains an article on the reformatory system by Z. R. Brockway, a detailed history of the Elmira Reformatory by Frank B. Sanborn, an account of the Massachusetts Reformatory by Joseph F. Scott, then its superintendent, an article on the

Masachusetts Reformatory prison for women by Isabel C. Barrows, and several other articles describing reformatories in other states.

Mr. Brockway remained for twenty-five years superintendent of the Elmira Reformatory. Though no longer in the active work of his profession, he continues to contribute valuable theoretical and philosophical discussions of prison problems. We print in this report his paper prepared for the Seventh International Prison Commission on "The Moral Classification of Prisoners." This paper describes the principle and method of classification established by Mr. Brockway during his superintendence of Elmira.

Mr. Brockway retired in 1900 and was succeeded by Dr. Frank W. Robertson, at the time of his appointment physician of the institution, who held the superintendency until December, 1903, when he was succeeded by Mr. Joseph F. Scott, superintendent of the Massachusetts State Reformatory.

Mr. Scott's call to this office and his acceptance of the same is a fine illustration of how non-partisan methods of appeal, on the one hand, may unite with professional pride and a sense of public duty on the other. The board of managers of Elmira discarding altogether the political tradition of "Home rule," determined to secure the best man in the country for this institution, at a critical and reactionary period in its history. The institution demanded the services of some one capable of maintaining it at the high level of discipline and efficiency established by Mr. Brockway. Such a man was found in the person of Mr. Joseph F. Scott. Trained under Colonel Gardiner Tufts of Massachusetts, and for many years his successor as superintendent of the Massachusetts State Reformatory, Mr. Scott in addition to long experi-

ence, had developed independent and original capacity for this work. With an assured position, an independent income and enjoying the confidence of the Prison Commission and the citizens of Massachusetts, Mr. Scott may well have hesitated to take such a difficult position as the superintendency of the Elmira Reformatory; but he accepted it in the same spirit that a general who has successfully led one brigade takes, from professional pride and love of the service, another brigade sadly needing a leader.

The foresight and confidence of the board of managers have been more than justified in the year and a half in which Mr. Scott has been at Elmira in the improved tone, and the better discipline, which now prevade the institution.

May 19, 1905, Mr. Decatur M. Sawyer, a member of the executive committee, accompanied by the corresponding secretary, made an inspection of the reformatory and cheerfully testified to the excellent results which Mr. Scott has achieved in so short a time. This can be attributed, not merely to his ample experience, and administrative ability, but most of all to his magnetic personality, which is felt throughout the entire institution.

The marking and grading system since the advent of Mr. Scott has not been changed in its essentials, but has been modified in various particulars, and the organization of the reformatory has been changed in some respects. The general regime of the institution is as follows:

Men are brought to Elmira from different courts by officers of the reformatory, and at the present time about 100 prisoners a month are received. They are taken at once to the bath, they are shaved and cleaned. A new suit of clothes and a "kit" or outfit is given them, consisting of the following articles: bedding, sheets, *pillow slips* and blankets, wash-basin, drinking cup, hair brush,

blackening brush, tooth brush, mirror, box of blacking and broom; they also receive later a military outfit of belts and accoutrements.

The new prisoner is examined by the superintendent or his assistant; usually both are present. A stenographer makes a record of answers to questions which cover his personal and family history. Then he is turned over to the physician who makes an extended physical examination and notes any peculiarities or indications of disease. The prisoner is assigned to such exercise in the gymnasium as his physical condition requires, for much stress is laid upon his proper physical development. Periodical examinations are made during this gymnasium work where the training is carried on under a competent physical director. A system of bathing supplements the exercise with apparatus.

When the prisoner has been sized up and classified physically, he is next taken by the director of the trade schools, who makes a thorough examination with reference to the mental and physical adaptation of the newcomer to any one of the thirty-one trades taught in the institution. Trade instruction is given three hours each day. Some of these who are capable are also employed a part of each day in working at trades necessary for the erection of the new buildings in process of construction, where they have an opportunity to apply the knowledge acquired in the trade schools.

One day in the week the three hours devoted to trade instruction are given to drawing for all trades in which drawing is essential. Each man receives individual instruction, and is given so many hours in which to make his outline; he must pass an examination upon it before going to the next outline. He is marked upon these examinations.

tions based upon school work, if a man has 75% on the examination, he passes; if between 50 and 75% he is fined \$1.00; between 25 and 50% he is fined \$2.00 and below 25% he is fined \$3.00.

In the school of letters the prisoner spends an hour and a half a day for four days in the week, and the same length of time Sunday afternoon. The school is divided into three general divisions and the prisoner is classified according to his previous educational attainments and natural capability.

In addition to this the Protestant chaplain conducts for the highest division courses in history, ethics and literature with incidental instruction in economics and sociology. Instruction is given in the other divisions by other teachers.

All men who are physically able are entered into the military organization and kept in the awkward squad for one or two months, drilling in the forenoon, and then enter the regular regiment which has regimental and battalion drill four days in the week in the afternoon. Wednesday and Saturday afternoons at the time given on other days to the school of letters there is dress parade. Men who are ruptured, or crippled or otherwise defective from a military standpoint, are excused from military drill and assigned to other work.

Of a population of 1,300, 800 are in the regiment and 200 in the awkward squad. The average time served in the squad is about six weeks or two months.

On Sunday there are religious services for the Catholics, the Protestants and the Jews. The Protestant chaplain is Rev. William H. Chaplin; the Jewish chaplain Rabbi Jacob Marcus.

The program of school and work is so arranged that men are out of their cells from 6 in the morning till 6 at night. The cells are well lighted so that they can study or read in them

at night until 9.30 p. m. There is a good library of between four and five thousand volumes for reference and for general reading. Men in certain classes are entitled to choose their own books; in the lower classes the books are selected for them.

There is a choir and a regimental band of a very good standard.

Included in the Elmira plant is a farm of 280 acres of which 17 acres are devoted to the garden, and about 80 acres to other crops. Four hundred hogs were raised last year, supplying sufficient pork for the institution. About 80 men work on the farm; they are those who are ready for parole, and whose conditional liberation is so near that they have no temptation to escape.

In order to be eligible for parole, a man must have reached the first grade which takes him six months; then he must make six perfect months in the first grade. If he drop into the third grade, when he leaves it he is just where he was when he came into the prison; he must work his way to the first grade and maintain a perfect record of six months.

Superintendent Scott has changed the marking system so that it does not bear so hard on the dullards who were often detained a good while because they could not come up to the requirements of the school of letters, though they might be trying just as hard or harder than men of greater capacity. More emphasis is laid upon demeanor, though school record is not slighted.

The reformatory is divided into first, second and third grades; the latter representing the lowest grade. An important change made by Superintendent Scott is the separation of the third grade from the rest of the population. They live by themselves in separate cells in a different quarter of the prison, and work by themselves, and must make a month of perfect record before being

released. Men are now seldom in the third grade more than two months.

Another important change made by Superintendent Scott is the rearrangement of the routine so as to reduce the hours of the officers from 14 to 12 hours a day, and this has been done without reducing the time of instruction or work for the inmates.

The greatest change has been made in the matter of discipline. In the fifty-sixth annual report of this association for the year 1900, attention was called to the practice of handcuffing prisoners to the bars of the isolation cells and the fear was expressed that prolonged punishment of this kind might result in physical or mental injury. It is a satisfaction to be able to report that this practice has been discontinued, and that so far from discipline deteriorating under the change it has vastly improved. Indeed one would hardly believe that so great a change could be effected in so short a time.

It would create a totally false impression to convey the idea that discipline had improved solely by reason of abandoning the practice of tying men up in their cells. Changes in the whole psychological atmosphere of an institution are not brought about merely by negative means; moral and personal forces are necessary. In the report referred to above much stress was laid upon the importance of having a competent executive head for an institution like Elmira. The bearing of personality upon discipline, not merely considered as a force to restrain, but also as a force which impels is seen whenever a magnetic man is placed in a position where his power over men may be exerted. The discipline was never better at Elmira than it is to-day, and it is secured not by dark cells or by "cuffing up"; but by the operation

of those forces which impel a man to obedience and industry, which awaken ambition, hope, and endeavor.

On the 28th of March, 1905, a fire broke out about midnight and destroyed the laundry, bath-house, storeroom, two tailor shops and the engineer's workroom. A number of the more trusted and competent inmates were called upon to help the officers and with the aid of the city fire department the damage was limited to the buildings named. No one was hurt and indeed there were many prisoners in some of the cell blocks who did not know that the fire had taken place.

Superintendent Scott had an inventory made the next day and plans were at once submitted to Governor Higgins; a special message was sent to the Legislature, and \$85,000 was appropriated for the buildings burned and \$30,000 to reimburse the institution for the stores destroyed. The prompt action of the Legislature is a gratifying proof of the confidence which the reformatory has inspired in the executive and legislative departments.

Another large building whose need was evident before the fire began, a domestic building, is also in process of construction. The lower floor will be used as a kitchen, bakery, storehouse and refrigerator, the second floor as a dining-room, the third floor for officer's restaurant and the fourth for officers' quarters. The dining-room will seat 1,600.

At the time of our visit the men were obliged to eat in relays in a corridor of the cell block. In spite of the debris incident to tearing down and building up, it was interesting and gratifying to see the men who had been trained in the trade schools engaged in the practical work of erecting this building. Bricklayers, carpenters, plumbers, and nearly all the trades required in the

work of construction are supplied from the mechanical force of the institution. The appropriation for the building is \$110,000.

Under the law that nothing can be sold out of the institution, some of the trades, such as moulding, are not turned much to productive purposes but serve to educate men to productive work when they go out.

The painting class includes in its instruction house painting, frescoing, and lettering. Small model houses are used which can be painted inside and out. In the blacksmith shop, hoofs of dead horses are used for practice. Blacksmithing is one of the best trades for a certain class of boys who have the requisite physical force. About seventy-five are in this class.

In the school of letters a normal class is conducted by Mr. Upham who teaches his assistants how to teach.

There is also a class in barbering. The pupils have a chance to practice upon the fellow prisoners, all of whom are required to be shaved once a week and to have their hair cut once a month.

One of the best things which boys learn in Elmira under the system of bookkeeping, is how to save their money. This confession has been made by not a few who have earned their parole and their absolute discharge.

A reformatory exists for the reformation of the corrigible. One of the purposes it serves is to show who are corrigible and those on the other hand who do not respond to such treatment. A certain number of men defective physically and mentally and others who are far beyond the age fixed by law for commitment institution, are constantly sent to Elmira. They do not respond to the scheme nor respond to the influences to which they are subjected. The only thing to do is to transfer them to Au

Napanoch. Mr. Scott has weeded out a good many such men who belong to the recidivist class or to the defectives.

The military organization is commanded by a colonel and lieutenant-colonel, the first of whom is military instructor and the second assistant instructor. There are four majors selected from the chief guards and the captains are likewise taken from the guards. Subordinate positions are filled by the prisoners. There are sixty guards in all and eight chief guards.

During the past three years 190 changes have taken place in the personnel of the officers of the institution. During the present year, however, changes will be comparatively few owing to the establishment of a graded scale of promotion and compensation.

Colonel V. M. Marten, the military instructor, may well be congratulated upon the good appearance and the excellent drill of his command. The general appearance of the regiment has been much improved by taking the third grade men in their red suits out of the regiment; and also by substituting for the black, blue and red uniforms heretofore used, uniforms of a similar color. The difference in grade is now shown by a simple device on the collar.

Military officers are now relieved from the duties of disciplinary officers. Inmate officers who can reach the rank of lieutenant can no longer issue offense report against their fellow prisoners, but are obliged to report them to citizen officers who after investigation issue offense reports if in their judgment it is deemed necessary.

Complaints have been made in regard to prisoners in this and other states that men who have money can buy their way through prison and enjoy many special privileges denied to their poorer fellow prisoners. At Elmira Reformatory, however, the

only aristocracy is the aristocracy of intellect and character and this alone secures privileges. The institution is absolutely democratic. No matter what a man has stood for before he came to the reformatory, when he is on the inside, he stands simply for what he achieves there. The son of a millionaire is treated like anyone else; his parole and discharge depend upon himself.

NEW YORK STATE REFORMATORY FOR WOMEN.

The New York State Reformatory for Women at Bedford, Westchester county, receives women from the southwestern part of the State, including the city of New York, so that it draws its inmates from a dense population. Last year 101 were committed and added to the 198 inmates already in the institution. During the same time one infant was admitted with its mother and two were born in the reformatory. The largest population on any one day was 330, the average for the year a fraction over 211. Of this number 57 were paroled, 3 discharged on expiration of sentence, 6 were transferred to other institutions and 2 died. The average age of these women is 21, as it has been from the opening of the reformatory four years ago. The average weekly cost of support is \$4.41; the estimated value of farm products \$1,187.87.

More than half the girls and women come from domestic service; more than a third as many come from factory life. The following figures show the need of special training as a means of preventing crime, for it is true here, as well as in prisons for men, that the skilled person is the exception in such a
the 101 committed the past year, of those who
even the slightest preparation for doing good w
try, there were dressmakers 2, ladies' tailor
milliner 1, vestmaker 1, telephone operat

ough training these women are capable of doing excellent work in many directions, as has been thoroughly proved.

Coming chiefly from New York, which has so large a foreign population, it is striking that but 31 were foreign born, while 70 were natives of the United States, 35 of them colored, most of whom perhaps had been attracted to the city by intelligence offices, as 26 out of 27 had been in domestic service. Of the foreign population Germany sent 5, England and Ireland 4 each, while Italy sent but 3 and Russia, with her hordes of women, probably more in proportion to men than any of the other immigrating populations, has but 1 Russian woman in the reformatory. Bohemia has 1, and a very useful one she is, being a skilled weaver and acting as teacher in that craft to superintendent and inmates alike.

In religion the division is remarkably even, 44 protestants, of six sects, to 48 Roman Catholics. There are but 9 of the Hebrew faith. Catholic and Protestant services are held regularly and the Jewish women have instruction in their faith every Saturday, given by Miss Rossetta Stone of New York city. Of the 101 admitted last year 64 are single and 37 married, though 19 have separated from their husbands and 6 have husbands in prison. Thirty of the 101 have been in institutions before.

The parole statistics are as follows:

On parole at beginning of the year.....	30
Paroled during the year.....	57
Discharged from parole.....	15
Returned to reformatory.....	6
Broke parole and whereabouts unknown.....	7
Died.	1

It is interesting to note that of those breaking parole the larger number are intemperate women, older than the average.

Their stay in the institution had not been long enough to cure them of this evil habit. One of those who broke her parole "married and went west and failed to report."

With half of these women coming from domestic service, where they had given little satisfaction, on account of ignorance and incapacity, it was natural to give them instruction in the same department and place them again in families, so 30 of the 57 paroled have gone out as domestics, well equipped this time to render excellent service. Indeed there is no possibility of meeting the demands of the public in this direction. In addition to these, 12 are living at home and doing the same sort of work. One young woman, who had the distinction of being the only high school graduate in the reformatory, was trained there as a stenographer and is doing that work. Several who could live at home have gone back to factory work. Two or three have become clerks in families where the parents or relatives were storekeepers. No girls are paroled to the city. The advantage of having a reformatory in a beautiful country place is that the inmates grow to love the natural surroundings of the home where they have learned to get away from their bitter past and are far more ready to take homes in the country than they would have been early in life, when the big, bustling city and the noisy, exciting, pavement life had such fascinations for them. In country homes, wisely selected and with the exact system of reports, the wayward girl has the best chance for recovery, mental, moral and physical. The only drawback seems to be that the maximum sentence of three years drops the paroled woman when perhaps she is not yet strong enough to be left wholly to herself. A truly indeterminate sentence would prevent this. Those who were strong would be gradually released from control and those who needed it would be

in the wise leading strings of the board of managers, till they could safely and strongly walk without guidance. There is absolutely no danger of their being retained in the institution a day after they are fit to go out, nor is there any danger of their being recalled to it at any time unless necessary. The physical capacity of the reformatory, which is now taxed beyond what is right or proper, would alone prevent that, if the moral influence of the officers and managers were not enough to prevent any injustice to the women. The immediate erection of two new cottages, from the last appropriation of the Legislature, will give more room, but many women and girls must be sentenced to other places, losing such help as the reformatory could give them, partly because after all there will be too little room, until they have a separate industrial building, and partly because those who commit girls and young women have not all learned to send them where they may be reformed as well as imprisoned.

The official report of the Bedford Reformatory, which may be had for the asking, will give to those interested a deal of minute information on all the points referred to in this abstract. It may be asked what are the main things relied on to fit these young women for probation, for probation is the goal. Not much is said about "reformation." The wise officer rarely uses that word. The shining ideal is for the girl to work for probation, freedom under guidance, a chance to test her powers to lead a better life. No method was ever devised which so surely develops self-respect and self-confidence as this partial freedom while still under the custody of the law, a freedom acquired solely through the girl's own endeavor. No power from without can aid her one whit. No application from friends, lawyers or courts, can free her. *And the decision as to her ability to be intrusted with a measure*

of freedom does not reside with the superintendent alone, as many are apt to think, who ask testily "How can a superintendent be so much wiser than the judge who sends a woman to a reformatory?" The board of managers has entire discretion to determine this in accordance with its best judgment in each individual case. Magistrates and judges making commitments to the reformatory are by law authorized to act as members of the board of managers when it meets as a board of parole to consider the cases of women committed by such judges or magistrates, but no magistrate has yet availed himself of this opportunity to see the working of this board, or to stand by his original pronouncement. This would seem to argue that the judges and magistrates have full faith in the board of managers, as well they may have. If the judges have confidence in the managers, the latter have confidence in their superintendent. They say: "It is the merest justice to say that these results are due, first of all, to Miss Davis, superintendent from the beginning, whose conspicuous ability, untiring energy, infinite patience, and complete devotion to the success of the work, have made her highly appreciated by all who know what she has accomplished. She has inspired the officers about her with confidence and hope; she has won the love and admiration of the inmates universally, and to her technical knowledge and wise judgment the members are constantly indebted." Miss Davis, on her part, also commends "the faithfulness of the officers" of the institution, whose loyalty to the principles followed is beyond all praise.

Classification is the first thing that strikes the visitor. This will be even better with the new cottages, but at present it is admirable, the reception house and the four cottages serving to separate the different classes and types of inmates. The grading

once established the girls may go up, or down, as in other reformatories, according to the behavior and efforts of each individual. In whatever place she is she has the best helps toward helping herself. Her bodily health is wisely looked after by Dr. Halleck, the resident physician, a most accomplished and skilled woman. She and the superintendent have studied the best dietary for institutions, and, in conjunction with the clever matrons of the cottages, this dietary has been worked out into a pamphlet cook book, which has 112 rules for preparing good and attractive food, amply suited to meet varying tastes and the needs of the human system, at the most reasonable rates.

The cottages are models of cleanliness. They are the outward manifestation of what is expected everywhere, cleanness within and without, one symbolizing the other, the two necessarily going together. It would be an impossibility to send out well trained girls from a cottage carried on in a slipshod way. One who has visited many prisons and jails, knows very well that in the dirty jail you need never look for the even partial reform of any man committed to its hideous embrace. Once having crossed the unfinished and untidy entrance, for which the State, not the institution, is responsible, the girl who enters Bedford sees in every spot a mark of her high calling. Such spotlessness she has probably never before encountered and to that she must live up physically and morally.

Naturally all the inmates sooner or later learn the domestic mysteries of cooking, dining-room work, laundry work and sewing. Some of them even learn simple, practical embroidery, such as working initials on table linen and underwear. But it is of the wider field of work that one naturally speaks in telling of *what Bedford is doing*—or what Miss Davis is doing—in *developing the young women* under her charge.

With no industrial building these young women are taught in different rooms, here and there, three most interesting things: to make soft, pliable, palmetto hats, every process of which is by hand, requiring dexterity and skill; to make baskets, which they design and decorate themselves, of reeds and raffia, which are marvels of accuracy and beauty. They dye their own colors and the result is charming. Great patience, exactness, neatness and industry are required for this branch and no girl can develop these in basket making—and they love this work which they have for an hour a day—without having an extra stock of such virtues left over for other things. The third unusual occupation is weaving. The Bohemian woman warps the Berea loom and teaches the inexperienced how to cut and sew the rags, how to throw the shuttle and how to plan the rug which falls from the loom a thing of real beauty as well as use. The scraps from the blue gingham dresses, worked up with white warp, make nice washable rugs; mixed with darker colors serviceable rugs are woven for rooms needing stronger carpeting. These industries are educational, for as according to the laws of New York the products of the work of persons while under sentence are not allowed to be sold they can not be commercially useful. Indeed private funds from friends of the institution furnish the materials for much of this work, so little awake yet is the State to the duty of educating its wards.

- The lowest grade girls in the reformatory are, as a rule, the fullest of what might be called brute force. They have animal spirit that will work itself off in bad ways unless it can be harnessed and put to useful work. Miss Davis has proved herself an admirable charioteer in this emergency. She has enlisted this strength and is using it for beautifying the grounds

as well as for developing the character of these wayward girls. After they have wheeled a barrow, or shoveled loam, or filled in trenches for a few hours a day they go to sleep as soon as their heads touch the white pillow and wake only when the morning sun calls them to a new day. The ten heavy cells, with one-foot-thick brick walls, which have been put up to meet the needs of the institution, where in the lowest grade corridors a screaming girl may keep a hundred girls awake at night, may lack tenants after all if Miss Davis finds work enough outdoors for her inmates.

Great care is exercised in choosing those who shall do this outdoor work, in the number of hours, and the intervals for rest during those hours. The girls like it and are proud of their accomplishments. When for instance the appropriation for grading (\$1,500), was vetoed, and the girls did all the grading and the State paid only for the grass seed, it was a matter of pride for all concerned. When an acre of desolation was converted into a spot that bloomed not as a rose, but as a vegetable garden, the girls not only had joy in what appealed to the eye but in what it brought to the sense of touch and of taste. It may not be out of place to show what in one season that hitherto unproductive acre yielded, wholly under the hands of the different grades of girls. Here is the official list, which even farmers who may not care much about penological matters will appreciate.

Watermelons 208.

Muskmelons 534.

Cabbages 530.

Tomatoes 22 bushels.

Endives 70 heads.

Peppers 105.

Corn 528 ears.

Lima beans 7 bushels.

String beans 23 bushels.

Onions 22 bushels.

Green onions 4,428.

Cucumbers 13,630.

Green peas 6 bushels.

Lettuce 355 heads.

Radishes 7,104.

Summer squashes 560.

Egg plants 6.

The State should furnish a strong, short, suitable dress to be worn for this outdoor work. It would be wise economy. The employment itself is invaluable and everything in connection with it should be in keeping.

The lawns, walks, and driveways are all beautifully cared for by the girls. They also harvested the ice for the institution with a little aid. One of them drove the horse, some sawed the blocks and others floated them to the runway. They have done a good deal of cement work, under the guidance of an expert mason, and in painting and decorating, have showed themselves skilful and artistic.

In the hospital the presiding trained nurse has always in training two inmates, who become proficient in nursing and in cooking for the sick. Here as elsewhere there is rotation, so that many have the same training.

Schools are maintained five days in the week, fifty weeks in the year. Besides reading, writing, arithmetic, algebra and history there is a class in physiology taught by the resident physician. The mothers among the inmates are taught how

to care for their babies. There is admirable instruction in Sweedish freehand gymnastics, undoubtedly the best system for such a place. Gymnastic games, basket ball, and dancing give recreation at certain hours. The accomplished superintendent gives instruction in singing.

At the St. Louis Exposition the Bedford Reformatory exhibited baskets, hats, rugs, paper boxes, book covers, graded models of sewing, paper dolls dressed as models to show the everyday and Sunday clothes of the inmates at Bedford, samples of decorating and painting, school work and photographs, most varied and creditable work for an institution then but three years old.

"What is the result of all this?" That is the question most frequently asked. It is too soon to reply for Bedford, but similar methods in the Reformatory for Women, and in the Industrial School for Girls, in Massachusetts, have been of untold benefit. As Bedford has adopted industrial features which Massachusetts has not undertaken, and as the schools in the New York reformatory are admirably systematized, better results may be expected in New York than have been seen anywhere else. As yet only 15 paroled women have reached the maximum of their sentences and received full discharge. Nine remained in domestic service during the entire time of parole, one of them being more than two years in the same place.

The methods adopted at Bedford to fit the girls and women for honest and industrious life outside are exactly the methods which should have been adopted to keep them from ever entering such an institution. It is undoubtedly true that had such influences and opportunities been given to them from childhood the most of them would never have fallen into evil ways. The lesson

that the Reformatory for Women offers is that children should have hand and head both educated and that religious and moral influences should surround them all the way in life.

ISABEL C. BARROWS.

THE HART'S ISLAND REFORMATORY.

The undersigned, members of the executive committee of the Prison Association of New York, were appointed a special committee to inspect the resources, equipment, and present conditions of Hart's island with a view to the establishment and development of a reformatory for misdemeanants, in accordance with the law passed at the last session of the Legislature.

They, therefore visited Hart's island on Saturday, December 3, 1904, and were given every facility by the commissioner of correction and by Mr. Kane the warden of the present institution.

The establishment of a reformatory such as is contemplated by the law is in its practical aspects in no sense an experiment. For twenty-seven years there has existed in the State of New York a reformatory at Elmira which has fulfilled in a remarkable way the purpose for which it was founded, and which has been a model for the establishment of similar reformatories in several states of the Union. The Prison Association is in a position to speak with confidence as to the results of this work, since for more than twenty years, it has been, and still is the legal custodian of prisoners released on parole from that institution who come to the city of New York. The only necessary difference between the Elmira Reformatory and such a reformatory as is possible under the new law is that the Elmira Reformatory is a State institution for those committed for felony, while the new law authorizes a city institution for misdemeanants. The age limits prescribed are essentially the same, the maximum

in both cases being 30 years; the minimum age at Elmira being 18 and for the new institution 16. The distinction between misdemeanants and felons within the range of the ages given is almost entirely a legal technicality and does not affect the question of corrigibility. The same general principles and methods which apply to an institution for one class should apply to the other.

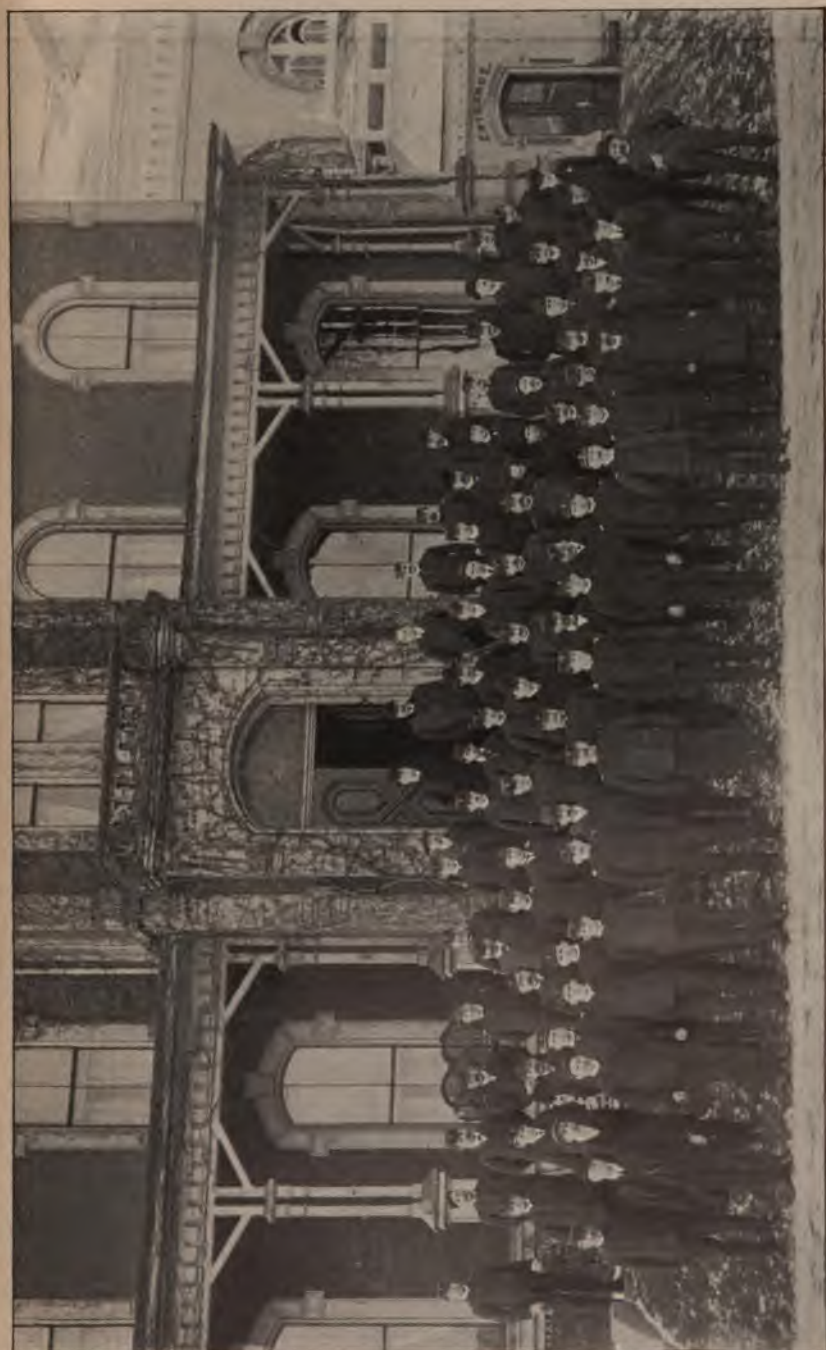
With several reformatories covering this period of age already in successful operation in New York, Massachusetts, New Jersey, Pennsylvania, Ohio, Illinois, Indiana, and Minnesota, those who are charged with the official responsibility of developing the new reformatory at Hart's island, may find illustrated, with some variety of method, the same general principles, upon which such a reformatory may be successfully conducted.

The ideal reformatory would be one in which the largest amount of classification based upon character and the largest and most effective accumulation of forces for developing character, can be secured. To attain these involves an equipment in the way of buildings, workshops, schools and apparatus of a varied character, far surpassing anything at present attainable at Hart's island, and indeed, the compass of the island itself is scarcely great enough to insure a development adequate to the probable needs of the institution. But the importance of obtaining a corps of teachers and officers of the highest character and efficiency exceeds even that of material and equipment. Detached cottages affording means of promotion on the lines of character, development, and improved workshops will be found useful, if not essential, but beyond and above all the appliances of education must be the informing spirit, the moral influence of well-developed *character upon character* unformed or at best in *process of formation*.



FRONT VIEW OF BUILDING ELMIRA REFORMATORY.





GROUP OF OFFICERS, ELMIRA REFORMATORY.



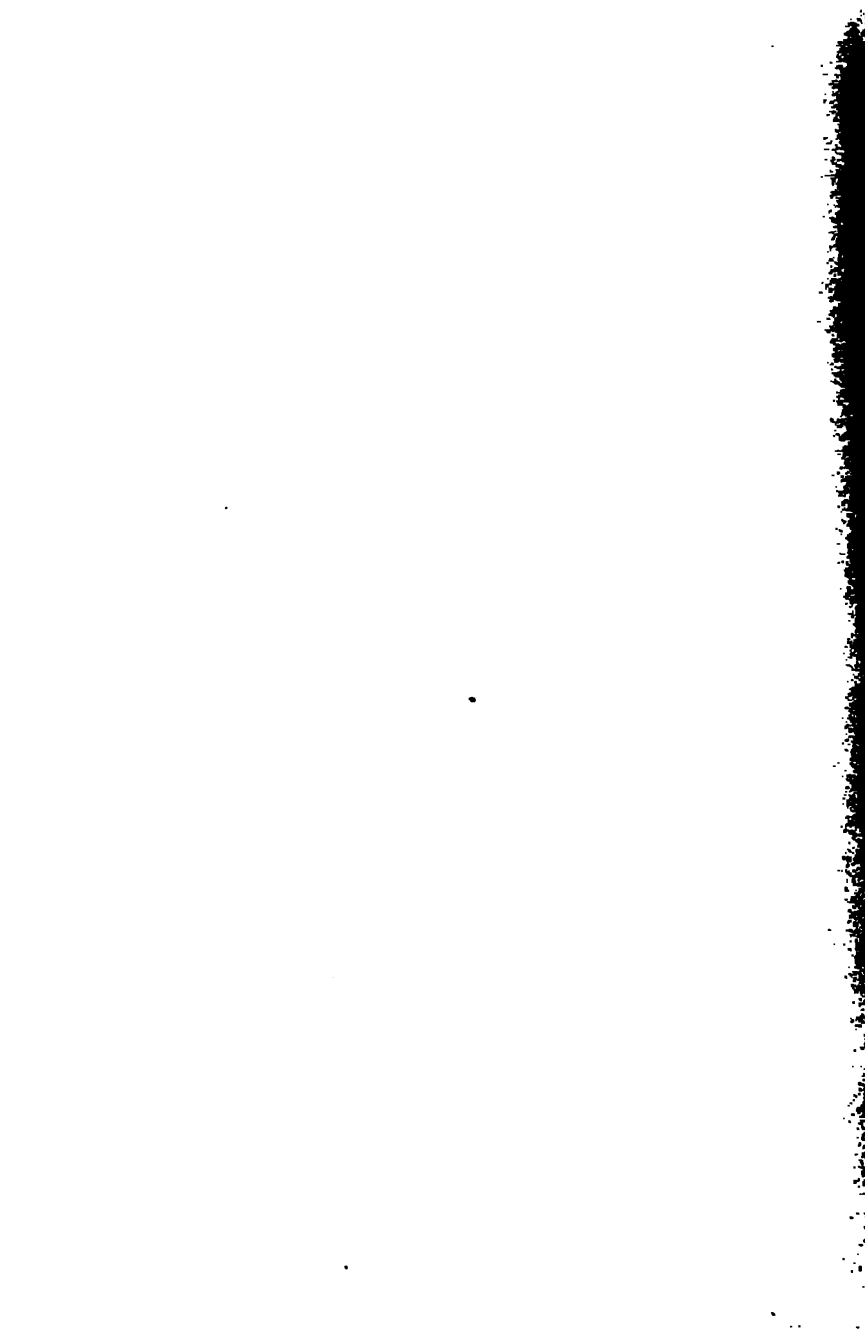


CELL BLOCK, ELMIRA REFORMATORY.





GYMNASIUM, ELMIRA REFORMATORY.





ARMORY, ELMIRA REFORMATORY.



COMPANY DRILL, ELMHURST REFORMATORY.





SETTING-UP EXERCISES, ELMIRA REFORMATORY

100

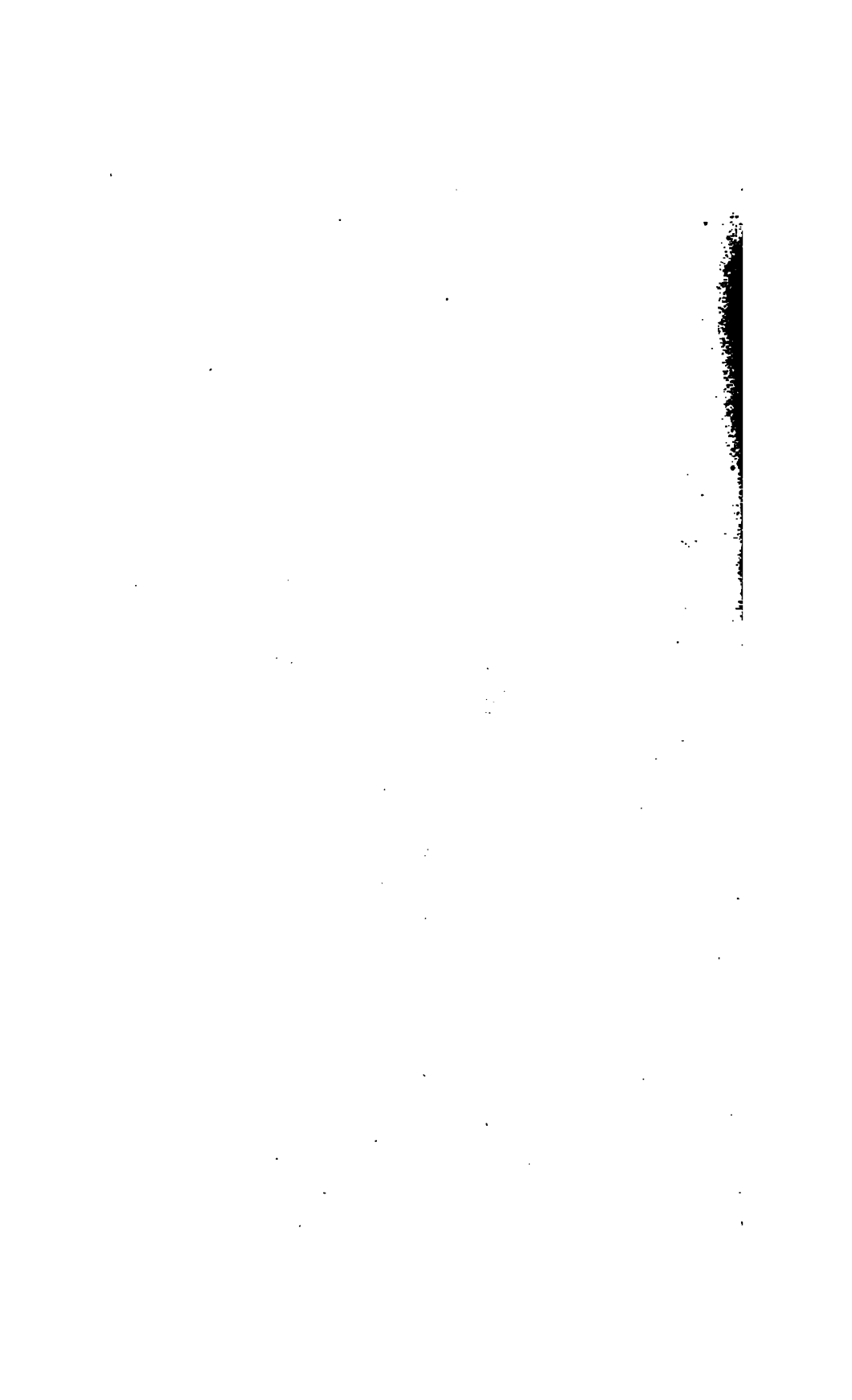


TAILOR SHOP, "ELMIRA" REFORMATORY

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

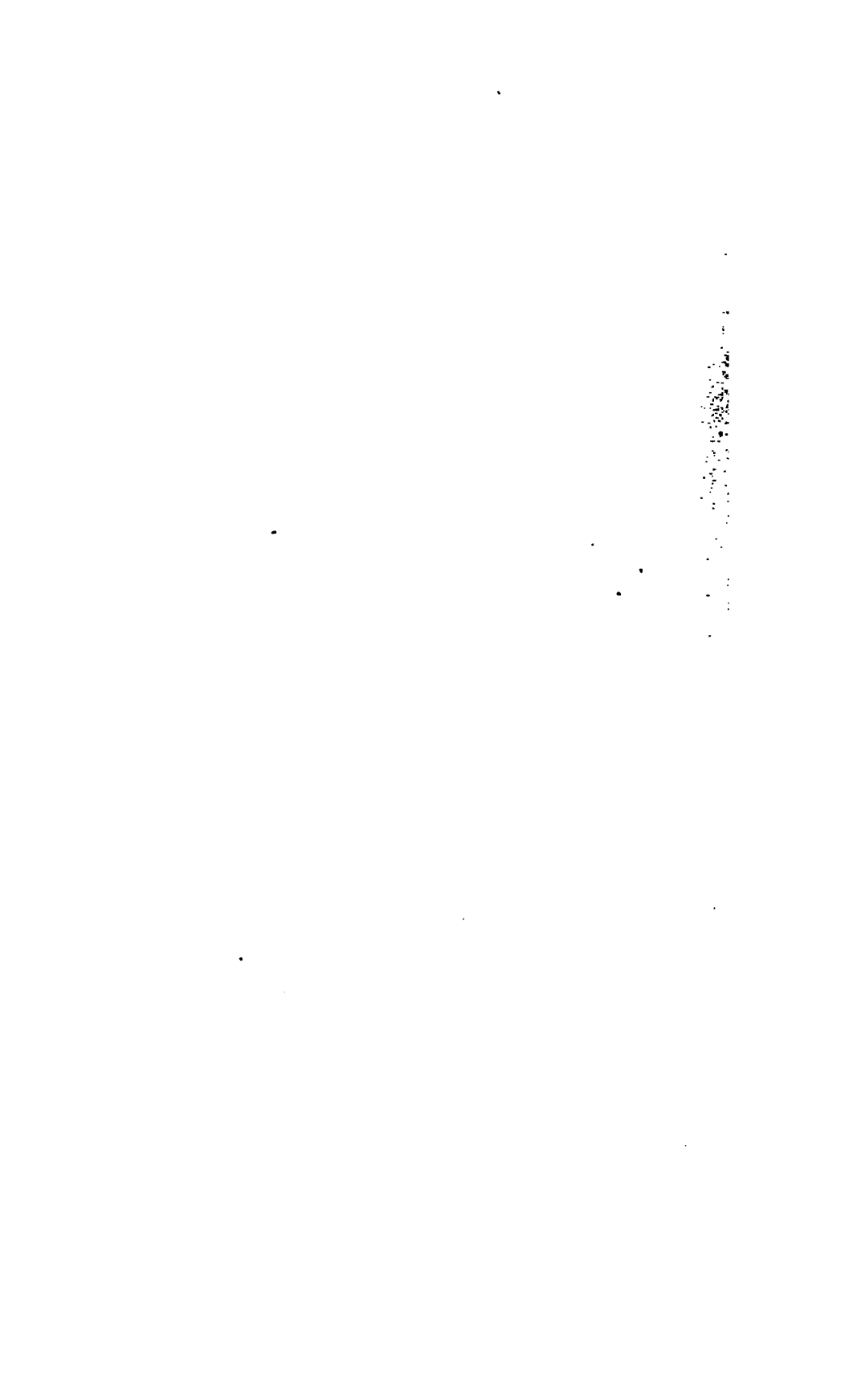


CARPENTRY CLASS, ELmira REFORMATORY.





ELMIRA REFORMATORY: NEW TRADE SCHOOL BUILDING IN PROCESS OF CONSTRUCTION.





BOOK BINDERY, ELMIRA REFORMATORY.

1

1



Иван Голубин, Елена Барбашова.



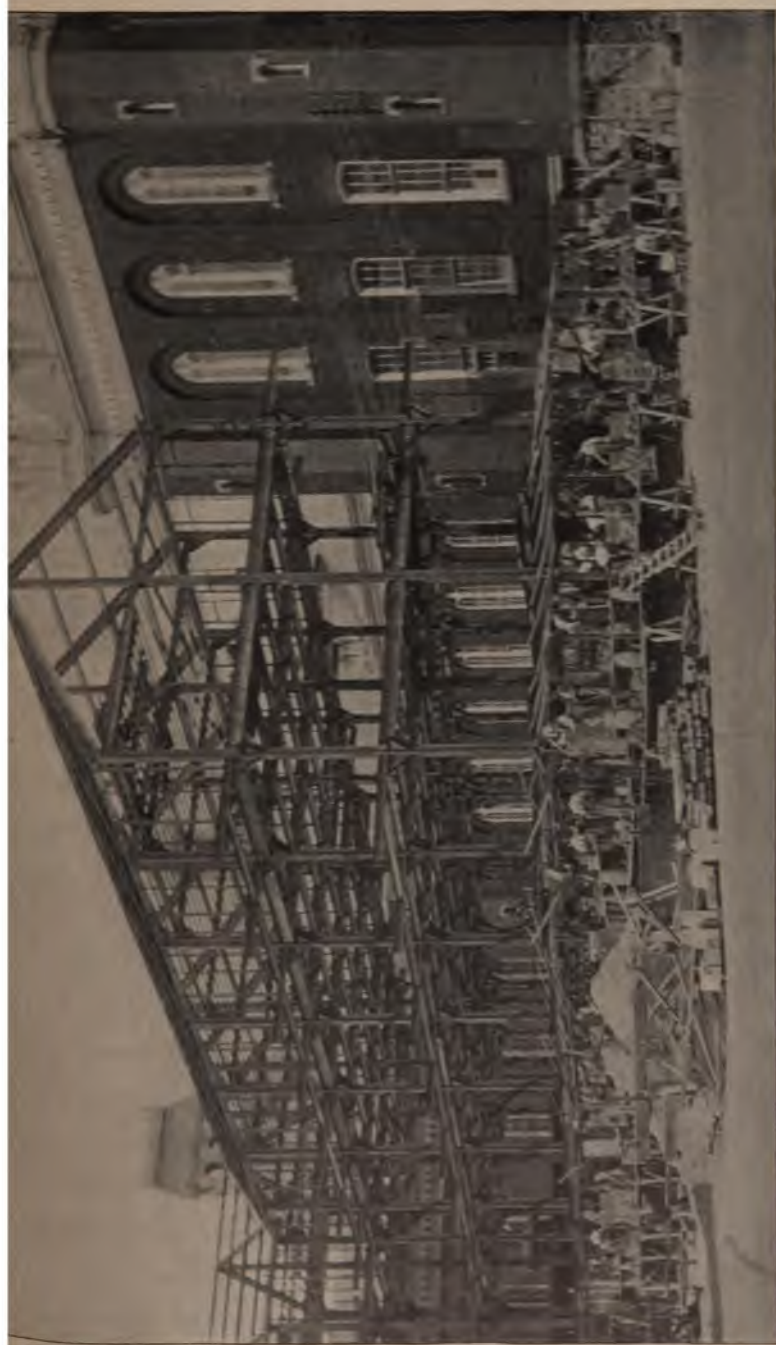
MACHINE SHOP, ELMIRA REFORMATORY



DRAWING SCHOOL ELMIRA REFORMATORY.



A ROOM OF SCHOOL, ELMIRA REFORMATORY.



DOMESTIC BUILDING IN PROCESS OF CONSTRUCTION ELMINA REFORMATORY.

the problem before the department of correction is two-fold. First, to provide immediately for the reception, housing, instruction and discipline of the offenders who will be committed to it under the new law from the first of January.

Secondly, the department has before it the problem of building in a physical and moral sense the reformatory of the future which shall be abreast of the best institutions of its kind and adapted to the city of New York.

To meet the immediate exigency there are a number of buildings on Hart's island, originally erected for a different purpose and ill-adapted in size, form, or equipment to this work. With reference to these and their use the committee respectfully submit the following suggestions:

The work of classification and instruction should begin immediately. For this purpose the existing buildings, though ill-repairof, and inadequate for permanent work, can be adapted for temporary use. It is the intention, we understand, to remove women from Hart's island at an early date. A large, well-ventilated building will then be available, and might profitably be used for the accommodation and grading of the older offenders, above twenty years; and if so used, should be subdivided into separate sleeping-rooms.

The men who at present, to the number of 270, are on the island should be removed likewise, as soon as possible. Some of these men are old offenders well known to prison officials; others are more or less disabled. As they are not skilled workmen and are not subjects for instruction, the shelter and restraint which they require can be provided elsewhere, either at Riker's island or in existing institutions for adults to which youthful

offenders are now sent. It will be difficult to keep the boys from contact with these men, without restricting too much the liberty of the boys themselves. We therefore recommend the removal of the men, except a small gang necessary for work in the potato field.

3. The boys from 16 to 20 may be housed in the building present occupied by them, although we consider it very inadequate.

4. The building occupied by the men might be used for an "overflow" and also a gymnasium for physical instruction, as well as for additional schoolrooms.

5. The large, adjacent building at present unoccupied can be fitted up for shops and trade schools.

6. We recommend that the trades chosen for instruction be such as will fit the inmates for useful occupation outside; and that to this end instructors be furnished in carpentering, bricklaying, blacksmithing, stonecutting, glazing, painting, plastering and tin smithing.

None of these trades require expensive machinery; the necessary tools can be bought for a comparatively small amount; and they would all be useful in the work of erecting the necessary buildings for the permanent equipment of the reformatory. Instruction should also be furnished in gardening and farming. About 18 or 20 acres are already available for this purpose.

New roads will be needed on the island, which can be built by the boys, who could also build and repair wagons and harnesses.

7. The number of teachers for the school of letters should be increased.

8. Technical moral instruction should be provided.

9. We recommend that the separate room system be used instead of the dormitory system; and, until this can be secured by remodeling the buildings, that an officer be detailed to act as watchman in each dormitory at night.

10. In considering the permanent equipment of the reformatory we suggest that buildings to be erected shall not be of conventional prison type, but shall conform to modern views as to sanitation, air and sunlight. Further that they be erected also with some reference to the grading of inmates in accordance with the marking system. We trust that the mistake will not be made which has so often been committed in jail construction, of copying some conventional building instead of designing something which fulfills modern requirements.

11. In erecting the new buildings, and as far as possible in the preliminary work of remodeling the buildings, we recommend most earnestly that all this labor be carried on by the inmates themselves under competent instructors. Excellent examples of what may be done by this class of prisoners under such instructors may be seen at the Concord Reformatory in Massachusetts, at the Ohio State Reformatory at Mansfield, as well as at Elmira, where the new buildings now in course of erection are being put up by the inmates.

12. It is easy to see that before long the population of the island will be at least a thousand boys. For the purposes of the reformatory, the physical training, the farming, gardening, and military training if it shall be introduced, the area of Hart's island, 177 acres, is none too large. We therefore suggest the advisability of securing some other place for the potter's field. As the cemetery will continue to grow as well as the reformatory, they will eventually too nearly approach each other, and it is

not advisable to have a public cemetery in the immediate vicinity of a reformatory.

13. We respectfully suggest that those who have the personal and official responsibility of developing the new reformatory, find it to their advantage to visit Elmira and other institutions and we recommend that such inspections may be authorized.

In conclusion, we return thanks for courtesies extended Commissioner Lantry and Mr. Kane, and we cheerfully add Mr. Kane seems to be doing the best he can with the boys under his care and with the limited resources at his command. All of which is respectfully submitted.

MORNAY WILLIAMS, *Chairman*,
J. SEELY WARD, JR.,
EVERT JANSEN WENDELL,
J. G. PHELPS STOKES,
S. J. BARROWS.

THE MORAL CLASSIFICATION OF PRISONERS.

BY Z. R. BROCKWAY.

[A question proposed for discussion at the seventh international congress at Budapest was:

"What are the best means of securing the moral classification of prisoners, and what are the different consequences to be attached to such classification?"

In answer to this question Mr. Brockway prepared the following paper which was submitted to the International Prison Commission and translated into French as a basis of discussion in the Congress.]

The moral classification of prisoners need not be definitely directed for precise justice and transcendent morality, for there is a more practical and realizable purpose which includes what is attainable of both.

Fortunately we live at a time when publicists and governments incline to public protection as the basis of criminal laws and use of penalties. We know that laws, court practice, prison administration and neëscious public opinion still retain vestiges of vindictive, vindictory, and retributive sentiment, but, more intelligent current opinion now sanctions the changed and changing statutes and prison treatment which, in the language of the late Charlton T. Lewis, scholar, philanthropist, and jurist, "is destined radically to change men's habits of thought concerning crime, and the attitude of society towards criminals, to re-write from end to end every penal code in Christendom and to modify and ennoble the fundamental law of every State."

Accepting this basic principle of public protection and benefit as the true end of imprisonment, the immediate inference is inevitable that every prisoner when he is properly committed to prison should be held continuously under needed restraint until his improved character justifies a conditional or absolute release. And, since interminable imprisonments are not desirable, reformation of prisoners becomes the proper central aim of prison management. This, then, is the present compromised end of impris-

onment which it is believed good classification of prisoners may be made to conserve.

Such a view diminishes any demand to consider, in the usual use of terms the justice and injustice of imprisonments for a longer or shorter period. The rigor or lenity of prison regime, the comfortable or uncomfortable experiences of the prisoner, all merge into the before-mentioned supreme purpose and central aim. There is a nobler, and doubtless more correct, conception of the supreme ruler than administering justice; for injustice either potential or actual, must needs be manifest and attribute before the concept of justice can appear. Inequalities in nature constitute a law of life and growth; there equilibrium would mean death; before equilibrium is reached it is disturbed by nature's inherent forces, the life maintained. Who would think of transferring our term justice to nature's operations?

As in nature, so in human nature. Activity is the same essence and similar in movement and effects. We observe, among men, unequal distribution of capacity and opportunity; merit and misfortune; health and demand for effort; virtue and honor; the innocent often suffer whilst the guilty go unwhipped. The world is astir with rivalries, competitions, contentions, conflict of arms, with horrible cruelties and carnage; pestilence stalketh; calamities of fire, flood, the tornado overwhelm. Who so bold as to judge our human life and circumstances by the plumb of human justice? Abstract judgment is but a figment of the imagination. One has said justice is an elusive sunbeam chased by children and courts of law, but never grasped. The better thought of supreme rule; of nature's process; of our troublous human life, is not judicial function working justice by means of penalties, but a powerful inward law accomplishing with certainty and beneficence some transcendent good which also connotes human welfare. The foundation of prison science should be laid wider and surer than a mere aim at justice—it should be purposed for the public good which must include the prisoner's real welfare. The futile aim at just retribution diverts the greater good. Statutes are crowded with ineffectual, often harmful, categories of criminal penalties; the solemn courtly farce of meting out with shifty measurement, uncertain pains to pay for public injuries dims the dignity of a court proceeding; the punishments a

sometimes attended with needless severity, or damaging indulgence; prison governors are degraded to the level of the public punisher; prison systems are befogged in a maze of contradictions until the penitentiary substitute for erstwhile sanguinary penalties is, by thoughtful observers, voted well nigh an egregious failure. Unavailing indeed, then must be an attempt to prescribe a system of moral classification of prisoners with the view to reach a just distribution of equal pains to unequal offenders. Therefore, we may exclude from direct aims of classification the entangling problem of justice, confident that whatever of natural justice anywhere exists will find the best fulfilment in a scheme devised for the larger, nobler end.

As with justice, so with morals. It is always difficult to discriminate between variant, intrinsic individual morality. Similar facts are differently interpreted according to different canons of judgment, and each umpire must needs discern through the lens of his own personality. Our moral judgments of others are but reflections of ourselves. This may be the truest introspection, but faulty for outward observation. The very assumption of our inward moral superiority should suggest defective vision. True vision sees no good and evil but only good. Even in the unregenerate and earthly soul there is development of a spiritual nature though limited and perverted. It must be that in man as in the world the divine purpose will be fulfilled. It may be that the refinements of an orderly life serve only to disguise or hold in the leash of silence the same humane selfishness which, when grossly manifested, we name crime. Probably "the history of every man is, in some sense, of his own making, but, not made of his own accord or under chosen conditions, but under given and transmitted conditions. The tradition of all dead generations weighs like a mountain on the brain of the living." No one can know the infinite mode and ultimate moral standard; therefore, none should assume to judge the essential quality of a moral character: only accidental quality. Indeed, the question may here be broached, if not discussed, whether the truest possible conception of creator and creature, of supreme sovereignty, conjoint relations of divine and human spirit does not altogether exclude an ethic datum. At least we may from any scheme of classifying prisoners cast aside, together with all vain attempt at

justice, the purpose, so *inutile* of fitting the soul's relation to requirements of the maker and thus securing an ultimate salvation. More adapted to our common human judgment is the statement of Professor Tarde relating to morality: "He who is habitually actuated by the customary sense of pity and probity, without too conscious doubtful conflict of opposing tendencies, should be classified as one of average moral character. Others, if possessed of conscious sense and impulse the same in kind, but often overcome with evil, must be classed immoral. While they who have no vestige of the virtues named, best constitute the class immoral."

It may be said in passing that of 10,000 prisoners I myself examined and recorded, judged by Tarde's formula, 28.8% were non-moral without discovered moral sense; 43.1% immoral, that is to say below the average which is the line of safe inhabitan-
tancy; 22.6% were normal; 5.5% were ill-balanced or abnormal.

Summing up the non-moral, immoral and abnormal, we have 77.4% of the 10,000 who are adjudged anti-social.

THE ECONOMIC STANDARD.

But, there is to be found a simpler and more workable standard by which to determine the social-moral state of prisoners, hence their fitness for any class and change of class, also their fitness for conditional or complete release from custody. It is the test of their present or prospective importance, at the time, as political factors—their economic use and value. The real basis of our civic life is economic. To economic cause must be traced, in last analysis, the conditions and movement of conditions of society which create and regulate social classes and the various manifestations of social life. To live wisely and well is to be a true economist and so a useful factor. A true economist improves his own and the lot of his fellowmen; such an inhabitant is socially moral, never really criminous and such are rarely found in prison. The criminals we have in mind to classify are adults, able-bodied, who are indisposed to work or disqualified in moral faculty, in mental habitude and out of opportunity as out of practice for the necessary competitions of good industrial service. It is pre-supposed that we deal with real criminals. The courts with wise discretion will have otherwise disposed of insane,

half insane and imbecile offenders consigning them to other institutions for care and cure or necessary supervision; the merely accidental criminal placed on probation, paroled, or a while secluded in some common jail; those deformed, diseased, the hopelessly dependent,—colonized or alms-housed for reclusion and support. The purpose of imprisonment and of treatment is to prepare such for industry, to train and transfer them from economic worthlessness to worthfulness. This aim and process involves a change of character; it develops virtues, incidentally, which when sought directly and by usual exhortation are difficult and impossible to produce. Assuming now this economic attitude, the means best suited to secure a moral classification of prisoners will readily appear.

ASSOCIATION.

It should be noted that classification of human beings presumes somewhat association, a principle that equally applies to human beings incarcerated for crime. Not isolation of each individual, but gathering into groups on a basis of perceived likeness in or unlikeness for specific ends, rather than the basis of individual differences in a general similarity. The latter principle if accompanied with separate cellular confinement, subverts true classification and supplies a condition of imprisonment which contravenes the primal law of civic circumstance, obstructs development of citizenship. Separate confinement seems only suitable for the incorrigible or temporarily, for rest and discipline. Separation of different categories of prisoners into separate institutions as males from females, felons from misdemeanants, adults from children—the crude system so generally adopted—is convenient, and to some extent is serviceable, but division of prisoners in any given prison into culture groups need not contemplate a complete separation of group from group; for, if possible it is undesirable and quite impracticable as prisons are now conducted and arranged. Also free association—unregulated communication—of groups or members of a group, is inconsistent with our aim in classifying in that it denies the established lines of difference; retards the group development, and tends to level up and down until all distinctions become obliterated. Both individual separation and free association are incompatible with

good classification intended as an aid to reformatations. But there is a proper mean of intercommunication which is most desirable, and, as demonstrated by past experience is attainable. Such a grouping of prisoners with limited and strictly regulated communication facilitates disciplinary training; promotes manual, technical and scholastical education; contributes to manliness and morality; cultivates habitual, therefore instinctive, quick and accurate self-adjustment to orderly civic behavior.

PRELIMINARY PROCEDURE.

Each prisoner, on his admission to prison for his reformation will be immediately examined to discover the reasons that have placed him out of alignment with the world of orderly industrious inhabitants. Intelligently discovered, such reasons will practically determine what shall be his initial classification; will, in connection with his discovered progress under culture process suggest from time to time useful changes of classification; and, finally, will make known the prisoner's qualifications for release and rehabilitation.

Scientific physiological examination will reveal any possible need of physical training in order to improve organic functioning to the end that effort once painful or reluctant will become painless or pleasurable; it will reveal fitness or unfitness for vocations for which the prison should be prepared, it will suggest the group of the physical culture class to which the prisoner properly belongs, and when he shall graduate from that class; and will naturally, indeed inevitably lead on to psycho-physical investigation making full demand on the science of psycho-physics for remedial prescription and direct mental training. The rational subjective reformative process is always a dual process and reciprocal as between mind and body. Scientific physical culture and skillfully directed mental impressions when conjoined and brought to bear are irresistible for changing molecular conditions. New vital-current channels may be formed and reformed until habits, tastes and capabilities are developed into accord with the orderly life of the times and community. Such a diagnosis or examination of every prisoner is an essential prerequisite of any system of moral classification of prisoners for the purpose intended.

LIMITATION OF LEGISLATION.

Legislation may well regulate the principles of any scheme of classification but methods of procedure should not be too stiffly prescribed by statute. Some scope should be given to those who administer penal institutions, for their invention of methods, liberty for initiative and opportunity for ingenuity in administering classification. The New York law of 1877 organizing the Elmira Reformatory is an example of good legislation in this respect. Section 10 of that act directs that "The discipline to be observed shall be reformatory and that the managers shall have power to use such means of reformation, consistent with improvement of the inmates, as they may deem expedient." Section 13 commands that full records be kept of the examination of each prisoner on his admission to prison, forecast of plan of treatment for each, method and alteration of method of treatment employed, circumstances of final release and subsequent history. Section 14 requires that under a system of marks or otherwise the managers shall fix upon a uniform plan under which they shall determine each prisoner's progress and provides that any system adopted shall be subject to revision from time to time. The liberality of the law—the large powers it confers upon the governors of the reformatory—weighed them with very serious obligations and offered incentive to unusual efforts to devise and execute effective methods to reclaim the culprits committed to their charge. A more restrictive statute conveying diminished responsibility and so less of incentive would possibly have prevented the administrative experiments and progress made at Elmira and now usefully if more or less imperfectly applied in many American reformatories and prisons.

Mere materials and brute animals may be classified, for study and for utility, by means of stereotyped formula, but man is so spiritual a being that fixed rules and set forms are less applicable to him. Every circumstance and materialistic influence brought to bear upon him reaches to a spiritual realm beyond our ken or control and affects forces that react and derange the best-made human plans for his regulation and development. "The spirit moveth where it listeth;" effects are perceived and observed which

are a product of mystical agencies noumenal and unknown, whose eventual trend we cannot foretell.

Prison governors are required who know these things or will acquire this kind of knowledge; men profoundly interested in the science of character culture, and such governors should have a proper marginal discretionary authority to make and modify methods of classifying and administering the classifications.

RECORDS AND CONTROL.

Classification of prisoners for moral ends is so closely correlated with prison discipline that control should be mentioned among the means of securing it. Minute and comprehensive records are essential to complete control. Such records as they were kept at the Elmira Reformatory, in the period of its greatest stress, revealed at a glance the varied moods and movements of each prisoner at any moment and throughout his whole career; and, together with records of all the current affairs, occupied the time, that could be devoted to that duty, of more than thirty clerks, mostly prisoners, but under direction and close supervision of civilians. This is the best known example of perfected prison records. But, more than the best records is required for effective discipline and classification. Very vitalized direction of methods and procedure is necessary. This is a requirement that demands and largely depends upon the dominating personality of the head of each penal establishment. The warden and governor, by his personality, gives tone and quality to the institutional public sentiment which always is a most potent moral influence. From this source will emanate whatever of enthusiasm and administrative thoroughness, earnestness and effort at any time exists.

Complete control and administrative thoroughness cannot be too greatly emphasized for the most serious menace of modern prison reform as it is exemplified in American reformatory prisons, is superficialism accompanied not infrequently with hurtful leniency. Sentimentalism should not supplant science in prison administration. Military martinetism even is preferable to laxity of mushy philanthropy; but there is an attainable disciplinary mediety devoid of hurtful extremes, a blending of exactness and *lenity*, two contrary qualities which may mutually contribute

to each other and, jointly, to the moral end in view. Proper adherence to system must be maintained or the widest classification of prisoners will fail to achieve the desired consequences.

MEANS AND CONSEQUENCES—MARKING SYSTEM.

An immediate item of means of securing good classification of prisoners intended for social and moral ends through economic education and training is a marking system expressed in monetary terms. Merit and demerit marks noted as pounds and pence resolves each prisoner's life and progress into economic elements and terms he easily comprehends, terms by which, when he regains his freedom, he will measure himself and be measured by others; it also supplies a convenient and sufficiently accurate standard measure for use by the prison management in estimating prisoners. Healthy economic life lived by an individual or the State involves practice of probity enough for safe inhabitancy. Intelligent, self-seeking, by way of good economies, builds unconsciously a moral character and constructs a hopeful future. Plumed morality, either the seeking or alleged possession of it is less trustworthy than is unconscious moral growth and worthiness. Men properly engaged in common affairs are by that means placed and kept in best accord with the essential aspect of life. Economic conditions are made and compact of human will and the human will is woven of life's economies.

The monetary marking system operates, after the prisoner's first assign, naturally and almost automatically to distribute, redistribute, retard or advance in the grades or classes according to the truest test of progress and of fitness for free collective residence. At the same time it makes effective the powerful motive of the indeterminate or conditional sentence system by securing the prisoner's cooperation, when that is possible, in efforts for his advancement. Such a marking system widely applied for such a purpose will produce three grades, sometimes named moral grades, within the prison, analogous to higher, lower and middle classes of a free community; will withdraw and send to reclusion some assimilable prisoners of lowest grade, and, will create a "star grade" (as known in England) composed of selected prisoners of the highest grade, who, as moni-

tors, teachers and military subalterns may render valuable service. The classified population of a reformatory prison community should resemble the natural and actual classifications which exist in free society, a product of current activities and economics. The prison is a specialized community of prospective free dwellers, temporarily segregated because of infirmities and placed under treatment for their care and restoration: it may be considered as a social mechanism and instrument for socializing the anti-social by their practice of behavior that conditions good citizenship to be practiced under compulsion, if need be; under firm grasp gradually relaxed as culture proceeds; practiced under scientific direction until the social habitude shall have replaced the anti-social, been duly tested and found confirmed.

Not only should the standard of behavior required fairly represent good citizenship, but also the means and methods should correspond to the agencies and influences abroad in the free community, and, particularly where the released prisoner will or should abide.

GRADE DISTINCTIONS AND EFFECTS.

Mindful of common social distinctions and referring to my own experience in classifying and maintaining the classification more than twenty years with a prison population, approximately fifteen hundred: Three grades were distinguished from each other by means of clothing of different color, cut and quality; differences of comfort, conveniences and furnishings of their respective grade quarters; differing dietaries as relates to variety, cookery, tableware and service; by common or select situation and seats in the auditorium on public occasions; restricted or freer privilege of visits and correspondence with relatives and approved friends; diminished or increased allowance of conversation among themselves; and, more or less of opportunity to earn and expend, all made contributory to the rate of progress towards conditional and absolute release.

The differentiated prison community now became a community of castes with attendant justifiable pride and prejudice of the enlightened responsive class; and on the part of the ignorant and irresponsible prisoners, together with their feebler ambition,

some evidences of depression, indifference, and occasional antagonism appeared. But, contrary to general conditions in a free community the lower class was not left to propagate ignorance and error, but they were plied with special incitements to action and efforts for advancement to the extent, even, with some individuals of the lowest class, of use of mental or physical shock. Some friction occurred between the members of the lower and higher grades, a healthful if not peaceful indication fully compensated by increase of mutuality among the several members of the same grade. This mutuality was particularly prominent in the highest grade. The effect upon the relations between the prisoners and authoritative government of the prison was an increase of general sensitiveness of relation; more intimacy; and, as a whole, the prison community was transformed from moping stolidity to intense activity. The social divisions are, at once, the means and product of each prisoner's performance in various spheres of activity, the chief and central of which is the industrial assignment and classification.

INDUSTRIAL CLASSIFICATION.

In the vocational assignment of prisoners the following named considerations were constantly in use and found sufficient for satisfactory distribution:

(1) Knowledge of what industries are carried on at the place where the prisoner should live after his release; (2) occupations of living respectable relatives of the prisoner; or, of any person who might, probably, become interested in the prisoner and provide him with employment; (3) his natural adaptability for any calling.

The aim was and should be to begin at once, when the prisoner is received into prison custody, his preparation for the particular occupation which, from his previous local habitation, his connections actual or possible, and his capabilities, he ought to have followed, and if faithfully followed might have saved him from crime and imprisonment. Neither the prisoner's unintelligent preference nor class vacancies and limitation of existing facilities for trade instruction should be allowed a dominating influence. The prison should supply facilities and instructions so as

to meet the requirements of assignments made on the above named trial basis, should not attempt to fit the prisoner's trade instruction to the convenience of the accidental present prison situation. At the Elmira prison, where this trade classification was carried to good degree of perfection, there were taught thirty-three trades and branches of trades.

During the hours devoted to industrial training the appearance was presented of a great technological institute. This industrial and the to be mentioned educational classification of prisoners revealed a most interesting if rather discouraging fact: 500 out of the 1,500 were found to be in need of special preparatory treatment before they could enter, promisingly, the regular trades classes. Discovery of this fact led to the formation of a large group of exceptionally defective prisoners possessing three variant grades or phases of defectiveness. Some were pre-eminently pathologically defective and for that reason were incapable of sustained application and effort in any given direction; others were backward, mentally feeble, their mental processes normal, but slow; they were dollards; and still others who were nearer normal as to bodily and mental conditions but were notably deficient in power for any good self-centered normal control. Each of the sub-groups of defectives was again divided into twenty-five small minor groups for the purpose of more exact adaptation of educational means. The total 500 composed a division devoted to manual training as the main feature of special treatment but connected with special physical and stimulating mental exercises. No professional formula of manual training was prescribed or followed but exercises were varied to meet, first, the needs of each of the three subdivisions, then the particular want of each of the twenty-five minor groups of the subdivisions. Some of the pupils were, aside from the tool processes and manipulative work of manual training, subjected to competitive mental arithmetic exercise; to gymnasium and field athletics; and, a small class of the most intractible were fed with foods whose nutrient quality was scientifically readjusted.

The consequence of withdrawal and formation of this manual training group may be summed up as follows: The regular classes throughout the prison were relieved of a troublesome incubus, and made, consequently better progress; closer scrutiny was in-

sured for the least tractable of the prison population, and, special means for their improvement was brought to bear; a favorable field was thus provided for use of selected prisoners from the highest grades to serve as monitors and assistant instructors by which use the best of the prisoners were arrayed and engaged, in cooperation with the prison governors, seeking improvement of the apparently worst of them; accomplishing thus, as by other items of classification, the most desirable and difficult problem of internal condition, goodness operating to overcome what is recognized as evil. There were abundant evidences of usefulness, of both trade and manual instruction shown in remarkable individual restorations to which the limits of this paper prevent particular reference.

THE SCHOOL OF LETTERS.

If, as we aver, wise pursuit of economic prosperity incidentally secures both mental development and desirable social moral relations, it is also true that these effects are multiplied and reproduced by combination with each other. Therefore, direct effort for the intellectual and moral education of prisoners is not inconsistent with the purpose of their economic rehabilitation. The School of Letters at Elmira constitutes an educational classification equivalent to a great graded school organized for oral instruction, thus dispensing with the usual school books. There are three large divisions for lecture purposes and twenty-four smaller classes for common school instruction. The whole range reaches from a special adaptation of kindergarten methods, through the ordinary grammar school course to, and including the studies usual in high school or academy. During school hours the prisoners are under educative control of a competent school director aided by nonresident lecturers and by prisoner pupil teachers from among the prisoners carefully trained by the director in a normal school class.

The first and highest of the large divisions contains about three hundred men subdivided in two classes which meet severally and conjointly, from time to time, for lectures on history and literature and for instructions with discussions upon practical questions which involve ethical principles. The second—the intermediate of large divisions—numbers, say, four hundred and fifty

men who pursue nature study by the lecture system, and, for occasional arithmetic and language study, are subdivided into four classes. The third large division—four hundred and fifty men—comprising the most illiterate of the prisoners, have lectures in elementary American history, and are, for their common school and kindergarten work, distributed in five of the other school classes. Moreover, as has been stated already, the defectives of the manual training division are given extra hours of school work, and, the most advanced and intelligent of the best and highest division, many of whom are employed as teachers, are classed for normal training and yet again, these are instructed in a special hour class when the principles of political economy engage their attention; besides, these upper class men are privileged to read in the library, current good magazines and standard works helpful to their course of higher study by lectures.

The consequence of such a school classification of prisoners, as demonstrated by actual experiment, are briefly stated:

Since school progress, proven by monthly written examinations, is a condition of progress towards release from imprisonment, the school classification greatly stimulates mental activity and holds the mind of prisoners in healthfully directed occupation. So sure is this that at any time, ten minutes after going to their cells, ninety per cent. or so of the two upper divisions, and many of the third division will be found engaged in reading or study. The school thus supplies a connecting link in the chain of prescribed means intended to completely absorb the total energies of every prisoner throughout all the waking hours, and without relaxant interruption or harmful diversion.

Utilitarian considerations are so paramount in the whole school work including the lecture courses that the school renders important aid to the preparation of prisoners both in knowledge and impulsion, for a rational and enjoyable free life. Industry is ennobled in their estimation; books become more attractive; new and improved civic notions are imparted; new tastes are formed; and the reason and judgment are much improved. Specially serviceable is the division of the school known as the "ethics class." While it is not intended to educate prisoners in the formulas of moral precepts, nor is it expected that any system of ethical *principles* may be so inculcated that mere theoretical knowledge

[illegible][illegible]

when, as should be in a reformatory prison, the best of the prisoners are utilized for educational and industrial service. There is no good ground for the fear, sometimes expressed, that such military education of reformatory prisoners endangers the republic by increasing thus the offensive organizing power of turbulent individuals and classes in the general community. It was contrarily demonstrated during our late Spanish brief war that discharged prisoners, from the reformatory, who were there made familiar with military matters, were very ready to enlist as government troops; and, it is known in time of peace that they often seek membership in standing military organizations fostered by the State for the public security. Among the thousands of such prisoners, discharged from the reformatory there is no known instance of participation by any one of them, in any organized riotous disturbance. And it is ascertained that the sentiments of prisoners approaching their release on parole, regarding labor strikes and opposition to police control are, substantially, those of the law-abiding general population. Moreover, a reformatory prison system which is so inefficient as to discharge prisoners whose sentiments are hostile to the government and the laws is itself at fault, either in slovenliness of reformatory prison administration or in the laws and sentences under which such improper discharge may become unavoidable.

CONCLUSION.

Classification is a principle so universal in every intelligent investigation and conduct of affairs that it is surprising no better use of the principle has been made in prison systems and prison management.

Whatever of classification already exists in this connection is, mainly, very imperfect and quite inadequate for any prison treatment of convicts that shall afford to the public a reasonable amount of protection from crimes, even protection from crimes likely to be committed by prisoners discharged from prisons. It is difficult to conceive of a rational reformatory system of prison treatment in absence of analytical process and very thorough classification. In the prison to which I have already ventured to refer and now make final reference, so complete and workable was it there, that by order from the general office, there

could be assembled, separately, in a few minutes of time, any of the following classifications: Either of the three social divisions and their two subdivisions; any one of the trades classes, the manual training class or any of the three general divisions, or any one of the twenty-five minor subdivisions; one or more of the three schools of letters, divisions or combinations of them, and any of the twenty-four classes or combinations of school classes; either of the military formations, battalions or companies comprising them and the regiment; the prisoners of the same religious bias or previous religious circumstances, such as Protestants, Catholics, Jews. With kaleidoscopic variety and facility, at will and according to programme, transformations of appearance could and did occur throughout the entire establishment. Seen at night time when the prisoners were locked in their cells it was a veritable prison and only then: in the great auditorium the whole population gathered for entertainment or popular address, it was a popular assembly of mixed classes of inhabitants: when the prisoners were distributed to lecture rooms for abstruse and technical discourse the appearance was that of an academy: on regular class evenings it was a graded common school; when, in the open courts and corridors, military movements were afoot it was a garrisoned military fortress.

The foregoing outlined scheme of moral classification of prisoners, with mention of means and consequences, is not a product of mere theory unsupported by facts, nor of pure empiricism, but a combination of theory and experience.

It is presented for whatever it is worth as a contribution towards more scientific management of prisons when in laws and prison practice neither the sentiment of retaliation or sentimental indulgence shall have place: when the purpose of reformation, for public protection, shall prevail, sought and wrought by scientific means and methods among which the principle of classification must be rated to be of fundamental importance.

UBERCULOSIS IN STATE PENAL INSTITUTIONS.*

BY S. A. KNOFF, M. D., NEW YORK.

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Last December, upon the invitation of the Prison Association, I visited the great prison of Sing Sing on the Hudson, in company with the Rev. Samuel J. Barrows, the corresponding secretary of the association, Mr. Samuel McCauley Jackson and Mr. J. G. Phelps Stokes, members of the executive committee. I have been asked by them to write down my impressions of that visit and to make any suggestions which might lead to an amelioration of the tuberculosis situation, not only in Sing Sing, but also in many prisons throughout the United States, which are confronted more or less with the same problem.

This, for example, is true of the Ohio State prison, which I visited in March, 1905. Upon special invitation of Dr. Charles O. Probst, I inspected the State prison at Columbus, likewise with the view that my testimony might perhaps be helpful in bringing about the establishment of a new State prison, and the speedy carrying out of suggestions for an immediate amelioration of certain unsanitary conditions. The Prison Association wishes to incorporate such suggestions in its appeal to the Legislature.

Statistics are always of value and, as an introduction to my communication, I therefore reproduce the latest published statistics on tuberculosis in prisons that I could obtain. In a highly interesting and instructive article on "Tuberculosis and Cellular Confinement"† by Dr. O. J. Bennet, prison physician to the Western Pennsylvania Penitentiary, there appears the fol-

* Reprinted from the Medical Record of May 13, 1905. Special reference is made in the report to the state prisons at Sing Sing, N. Y. and Columbus, Ohio.

† Bulletin of the Iowa State Institutions, October, 1904.

following "Statistical Table on Tuberculosis in United States and Canadian Prisons:"

PRISON.	State.	Years inclusive.	Total deaths from all causes.	Deaths from tuberculosis.	Death rate from tuberculosis.
Auburn.....	New York.....	1891-1902	296	153	Per cent. 44.5
Sing Sing.....	New York.....	1891-1902	221	116	52
Columbus.....	Ohio.....	1898-1902	193	73	37.8
Jefferson City.....	Missouri.....	1892-1902	261	124	47.5
Joliet.....	Illinois.....	91-95-96-99	273	176	64
Richmond.....	Virginia.....	1891-1902	203	88	30
Eastern.....	Pennsylvania.....	1891-1902	167	105	62.8
Western.....	Pennsylvania.....	1891-1902	131	52	39.6
Wethersfield.....	Connecticut.....	1891-1902	116	48	41.9
Charlestown.....	Massachusetts.....	1891-1902	49	19	38.7
Moundsville.....	West Virginia.....	1891-1902	165	116	56.9
Lansing.....	Kansas.....	1891-1902	156	41	26
Fort Madison.....	Iowa.....	1891-1902	32	9	28
Central.....	Toronto, Canada.....	1893-1902	20	1	5
State and county prisons.....	Alabama.....	1893-1902	1,399	592	42
Stillwater.....	Minnesota.....	1891-1902	47	24	51

The subject of tuberculosis in prisons is a vast one and it would require a deep sociological, statistical, and perhaps also geographical study to account for the frequency of this disease in some penal institutions and its relative rarity in others. An excellent report on this topic, prepared for the International Prison Commission and published as a congressional document (House Doc. 142, 58th Congress), has recently been made by Dr. J. B. Ransom, the physician of the Clinton Prison at Danmora. In the present short report of my visit to Sing Sing I shall only refer to issues which strike me as particularly important and deserving general consideration.

Before a prisoner is sent to Sing Sing, he has been detained for weeks, sometimes months, in city jails. As far as I can learn, prisoners who are simply held for trial or are waiting to be removed to Sing Sing, or any other State prison, are never examined by any physician unless they are ill and in actual need of medical attention. It must be evident that in this way a latent tuberculosis has a chance to develop, for even in the better city prisons the usual overcrowding will render the atmosphere vitiated, particularly in winter. If we add to this the lack of exercise and the depressing psychical influence of confinement,

† The statistics of some prisons are misleading, as many prisoners are pardoned when it becomes evident that they will die from tuberculosis.

nostalgia and worry, we can not wonder that prisoners arriving at Sing Sing are often found to be tuberculous, some even with very active lesions, while they may have entered the prison of detention seemingly in good health. Again, some may have been a little below par, underfed or weakened by exposure, and as a result have contracted tuberculosis from consumptive fellow prisoners while in jail.

It would thus seem that the first step toward the prevention of tuberculosis in penal institutions should be a most careful examination of all individuals and the weeding out and isolating of all tuberculous prisoners detained in jails. Only by a thorough physical examination, aided by bacteriology, and perhaps also by radiography, of every individual detained in jail, and the immediate isolation of true and suspected cases, will the authorities be able to prevent the infection of other prisoners and the unnecessary aggravation of the cases already existing. The tuberculous prisoner should remain isolated in the detention prison as well as in the penal institution, and he should be given the benefit of hygienic and dietetic treatment from the first moment he becomes a ward of the State or city.

When the time for his transfer comes, the history card of his disease and the recommendation of the physician should be transmitted with the other papers of the prisoner to the penal institution. After his arrival at the prison, in which he is to stay for some length of time, the physician will decide whether he is able to work or not, and what kind of work might be most conducive to his recovery. The occupations in Sing Sing, for example, are varied. Those which more or less involve the inhalation of dust will invariably render the tuberculous individual more ill, while they may not hurt the vigorous prisoner. The majority of the working rooms in Sing Sing are bright, well ventilated, and well kept. In some I thought the temperature too high. The installation of thermometers and the more frequent opening of windows, ordered by the guard on duty, would easily do away with overheating. The temperature in workshops should certainly never be higher than 65° F. in winter, and when the work requires much physical movement 60° to 62° suffices.

In the workshops of the Columbus prison there is a total *absence of dust consumers*. This absence of such an important

sanitary device is explained by the sad fact that the contracts with the present men who control prison labor in Ohio, were made before it was possible to compel them to use dust consumers. In the cigar shops conditions are simply terrible. The shops are fearfully overcrowded. Tobacco workers under the best conditions, are prone to tuberculosis; how much more so must they be here where there is hardly elbow room, and the air is constantly vitiated. Since it is a very common practice for cigarmakers to paste the final leaf with saliva, it must be evident that no prisoner even slightly afflicted with tuberculosis should be permitted to make cigars, leaving aside the fact that such conditions are sure to aggravate his disease.

The old Ohio cell house, built in 1834, and the new one, built in 1861, are both antiquated in every respect. The cells at Columbus are not any better, and if anything, worse, as far as lack of light, air and ventilation is concerned, than at Sing Sing. As in the latter, the antiquated bucket system for the disposing of the excreta, adds to the terrible odor to which the badly housed prisoners and employees are constantly subjected.

Since it is, alas! too true that a goodly number of the young prisoners, who for their first offense are placed in reformatories, will relapse into a career of crime and often land in a penitentiary, I think it equally important that the young tuberculous offender, when arriving at the reformatory, should be given the same opportunity of recovering his health as the inmate of the prison. I am inclined to believe that the outdoor occupation, which should be given to this young offender, might even change his character for the better and diminish the tendency to crime which may have been fostered by unsanitary environment and lack of light and air in the overcrowded city tenements.

Leaving aside for a moment the sanitary construction of prisons, let us see what other measures can be taken to prevent the spread of tuberculosis in a prison. Not only should there be a careful examination of every prisoner for tuberculosis when he enters the prison of detention or the penal institution, but his chest should be reexamined periodically, at least once every three months. With this periodic examination a very incipient case, which might have escaped detection during the "entrance" ex-

amination, is sure to be discovered before the disease has progressed to any considerable extent.

Expectorating, except in proper receptacles, placed for that purpose in cells, workshops, chapels, schools and on the grounds should be punished by severe disciplinary measures. That there may never be an excuse for violating this rule, I would go further I would not only provide a sufficient number of fixed, elevated self-flushing cuspidors, such as, or similar to, the ones illustrated here (Figs. 1 and 2), but I would see that every prisoner has some sort of a pocket flask, made of metal, similar to those used in sanatoria for consumptives, of which I also give illustration (Figs. 3, 4, 5, 6).

A prison is perhaps the only place in the world where spitting regulations can be rigorously enforced, and it is but fair, if we say to an individual "don't spit here and don't spit there," that we should give him a chance to spit somewhere when he has excess of saliva, a cold, etc. I am firmly convinced that with such a measure, not only would tuberculosis diminish in prison but epidemics of pneumonia and grippe would be less to be feared and more easily controlled. I should even like to recommend as a regulation that every prisoner must hold his hand before his mouth when coughing, whether this coughing spell is followed by expectorating or not. Thus, drop infection, that is to say, the expulsion of bacilli with droplets of saliva, will be avoided, and since the coccus of pneumonia is so very prevalent, even in the mouths of healthy individuals, this precaution may perhaps also tend to the diminution of pneumonia. As an additional measure to prevent drop infection, it might be well never to put prisoners too close together at the work tables. Whenever practicable there should be a distance of at least three feet between them. It has been demonstrated that at that distance the droplets expelled by coughing fall to the ground. It goes without saying that the personal and bed linen of the tuberculosis prisoner as well as his clothing should be regularly subjected to disinfection. The handkerchiefs of this class of prisoners should consist of squares of cheap muslin which should be burned after use.

To judge from the appearance of the various kinds of blankets, comforters, and quilts which were lying on the cots in prisoners' cells, it seemed to me that these coverings might becom-

the means of spreading infection, not only in tuberculosis, but in a good many other communicable and contagious diseases. The blankets and comforters are, as a rule, the private property of the prison inmate. He brings these articles with him, or they are given to him by visiting friends or by fellow prisoners who have been discharged. In most prisons these coverings, as well as the clothing which the prisoner wears on entering the penal institution are carefully disinfected. This precaution does not however, suffice to prevent the bed covering from becoming thoroughly infected afterwards, particularly with the germs of tuberculosis. Pulmonary tuberculosis is so insidious in the early stages, that the prisoner may have infected his bed clothing long before his disease has been discovered by the prison physician, unless, of course, frequent and thorough physical examinations of all prisoners are in vogue. To guard against infection which may arise from blankets, comforters, etc., having been soiled by tuberculous sputum or other infectious material, I would suggest that after thoroughly disinfecting these articles when they are brought to the prison, they be incased in a covering of light-colored washable material (not necessarily white), as one places a pillow in a pillowcase. By basting the blanket in its "blanket-case" it can be manipulated with as much ease as if not covered. With comforters and quilts the same method should be pursued. There should be two sets of cases so that the blankets need not remain uncovered while one case is being washed, thus the blankets never come in direct contact with the prisoner's body. I am convinced that with such a system and with the injunction that this washing must be done regularly, a factor of transmitting tuberculosis and other infections from prisoner to prisoner will be done away with.

Even the prisoner who is only suspected of tuberculosis should have his own cell, and, as far as possible, the placing of two prisoners in one cell should be avoided. The bucket system for receiving the dejecta of the prisoners during the night, and during the day when confined to their cells, is most deplorable. It is unsanitary in general, and as far as it permits the emanation of odors and gases, it is deleterious to the health of the inmate. The individual cell water closet, with a perfect trap and cover, such as are used in the better class of European prisons, is certainly to be recommended in place of the bucket system.

All prisoners should be given a chance to exercise several times during the day in the open air, even if it is only for a short time, and during that time they must not only be permitted, but should be enjoined, to take deep inhalations, or better yet, take regular respiratory exercises. The exercise in the open air should, however, not be limited to week days. According to the prison regulations now in vogue in most penal institutions, prisoners are confined to their cells not only from the hour of 5 in the afternoon to 6 in the morning, but also during almost the entire twenty-four hours of Sundays and holidays, and when a holiday follows a Sunday, or vice versa, the prisoners are necessarily locked up in their cells for two successive days. That such close confinement in a small, ill-ventilated cell for twenty-four, and at times for forty-eight hours, must be harmful, is self-evident.

In all well-conducted prisons, prisoners are required to bathe regularly and their skin is usually in good condition. To the prisoner predisposed to tuberculosis, or one whose case is so incipient that constant medical supervision is not necessary, permission for daily cold douches should be given. To these classes of prisoners, predisposed or incipient, it seems to me also that it would pay the State to give food containing a little more of the nitrogenous substances and the carbohydrates than the regular prison fare now represents.

One predisposing factor to tuberculosis in prisons, which seems to have been overlooked in most of the reports on the subject, overworking the prisoner. While it is true that in the majority of prisons the hours of work are rarely more than those of the average free labor, we must not forget that the free man, laboring 8 to 10 hours a day, has a relatively better quality of food, the exhilarating influence of freedom of action, and naturally superior hygiene. I do not wish to make this statement in the spirit of criticism, but simply to point out the great likelihood of a predisposed individual developing tuberculosis more rapidly under such conditions than when in normal environments.

Whenever it is possible—and it would seem to me that it should be possible everywhere—the prisoners predisposed to tuberculosis and those in the earlier stages of the disease, should be assigned to agricultural work. The experience in Texas has shown that the inauguration of agricultural prison colonies is not only

benefit to the tuberculous prisoners, but also can become a benefit to the State financially. The history of the Texas tuberculosis agricultural colony, known as the Wynne State Farm, although dating back only a few years, is so interesting and instructive that I know it will be an inspiration to all interested in the tuberculosis problem to read a letter written some time ago by Dr. Fowler,* the distinguished prison physician, who inaugurated this system:

"After investigating the history of the institution, I found that about 50 per cent. of the deaths of both Texas prisons, at Huntsville and at Rusk, were due to tuberculosis, which seemed to be increasing every year with no precautionary means toward stamping it out. The patients were all treated in the same ward, and under such circumstances I could see no chance for improvement. I felt that something must be done to decrease this fatality. After giving the subject most careful consideration, I came to the conclusion that the best plan to pursue was to establish a tuberculosis farm or colony, where the patients would have the advantage of outdoor life, fresh air and plenty of sunshine, and those not infected would be protected by the separation. I accordingly laid my plans before the prison officials, by whom I received a hearty endorsement and co-operation which brought about the establishment of the present Wynne State Farm in December, 1899. The location is a high, dry elevation, two miles from Huntsville, with no timbered lands near the prison buildings. This farm was formerly owned by the State and has been cultivated by convict labor for a number of years. The old prison building was converted into a hospital. I have everything on the place kept in a thoroughly sanitary condition. The inmates are not allowed to expectorate on the floor or around the buildings.

They are supplied with small wooden boxes filled with sawdust and calcium chloride to expectorate in, and these boxes are emptied every day and the contents burned. I also have the building disinfected. As to the kind of work the men do, it consists of light farming, gardening, poultry and stock raising. The garden products include vegetables of all kinds, and are used to supply the prisoners within the walls. All over this amount is placed on the market. The net proceeds of the farm for the past two years are as follows, viz.: stock sold, \$6,519.60; vegetables, \$4,057.70. The men are all required to do some kind of work if they are able to be out of bed. I find the exercise is very beneficial to them in developing muscle and strength. It also causes deeper breathing,

*Reprinted in the Bulletin of Iowa State Institutions, October, 1904, in the article of Dr. O. J. Bennett, above referred to.

which helps to retain the normal elasticity of the lung tissue, and thereby supplies a greater quantity of oxygen to the system, increases the appetite and aids digestion. I believe, after watching results for three years, that a certain amount of physical exercise in the open air and sunshine is absolutely essential in the treatment of tuberculosis. I find that all the men who get out and take exercise improve with few exceptions, while those who remain in the building die without exception. In fact, there is more to be gained from the open air and sunshine treatment than from medicine, though I have them take the hypophosphites with cod liver oil and creosote, and treat symptoms, such as pain, cough, fever and night sweats when necessary. I insist on forced feeding, as it is beneficial in most cases, and I allow them to eat any wholesome diet."

The statistics of four years' working of this farm are as follows:

Total number treated.....	180	
Total number discharged.....		34
Total number pardoned.....		30
Total number transferred.....		37
Total number died.....		46
Total number on hand.....		33
	<hr/>	<hr/>
	180	180
	<hr/>	<hr/>

At the conclusion of Dr. Fowler's interesting letter he comments on the statistics as follows: "I will say that the thirty-seven men transferred are virtually cured, and at least one-half of those pardoned and discharged were in a good physical condition, and the majority on hand are improving. The labor of the 180 men was practically of no value anywhere else in the prison, as most of them had reached an advanced stage of tuberculosis before their reception at the Wynne Farm. The farm is more than self-sustaining, if the expense of guarding them is deducted. The men all occupy the same building, as they have to be guarded day and night."

From this report it is evident that tuberculosis has been on the decrease in that prison, and there is no doubt in my mind that the tuberculosis prisoner, cured through healthful, invigorating and natural agricultural pursuits, will, after the expiration of his sentence, be returned to society many times a better member of it *than he was before.*

The more advanced cases of tuberculosis, particularly those in which there is disintegration and correspondingly abundant expectoration of bacilli, should be treated in special wards and in summer perhaps in the special tents of the prison hospital.

In view of the character of the inmates of the hospital, I would insist, for the purpose of preventing drop infection, that all patients in the more advanced stage must wear a mouth mask. Patients in a number of European hospitals for consumptives are told to make use of such masks in order to protect themselves as well as the other patients. In a former article on "Tuberculosis in Prisons and Reformatories"* I gave an illustration of this instrument, which I reproduce here (Fig. 7). It is known as Professor Fränkel's mouth mask. I really think it is a valuable means to prevent drop infection which, with the advanced cases among consumptives, is quite a serious factor in the propagation of the disease.

By impregnating the gauze, which is held in place by the metallic frame of the mask, with some medicinal substance, the tuberculous prisoners could be made to believe that the instrument was worn for their own personal benefit instead of for the benefit and protection of others, or, as they might think, as a means of designating them as individuals suffering from a contagious disease. Thus, even the humane arguments for not using such a mask would have no foundation. Where these masks have been used, bacilli have been found almost constantly on the gauze. Fränkel's and Moszkowski's experiments have demonstrated the great value of these protective masks, which can be easily disinfected. The gauze should, of course, be changed at least once a day and immediately be burned after removal.

Whether the practice of pardoning far-advanced tuberculous cases and restoring them to the homes of their often poor families is always a wise one I venture to question. It is often sad enough that persons who have contracted tuberculosis in prison, or whose tuberculosis has been aggravated through prison life, are discharged upon the community at the expiration of their sentences without any regard to where they will go or what they will do. They will invariably constitute a source of infection, unless they have been practically trained and are willing not to be such.

* *Medical Record*, March 2, 1901, and Report of the Prison Association of 1900.

soners virtually dying from tuberculosis should not be paroled and sent home, unless the authorities are sure that the unfortunate sufferer will not become a burden to his family, nor a source of infection.

A prison should be constructed so that there is plenty of light, and ventilation, on soil that is dry and porous. These conditions do not exist in our Sing Sing prison. The reason why there are not now so many tuberculous prisoners is that the watchful prison physician, Dr. Robert T. Irvine, sees to it that the majority of those discovered to be tuberculous are transferred to Dannemora, which seems to be better fitted to cope with the problem. When Warden Johnson had some large windows put in, the cell house is better lighted than in former years, but the structure itself is, to my mind, thoroughly unhygienic. The soil on which the prison is built is constantly moist, and the stone walls retain moisture to an alarming degree, so that the lower tier of the building is certainly thoroughly unfit for any human being to live in. The upper tiers are somewhat better, but they too are not fit enough to foster tuberculosis.

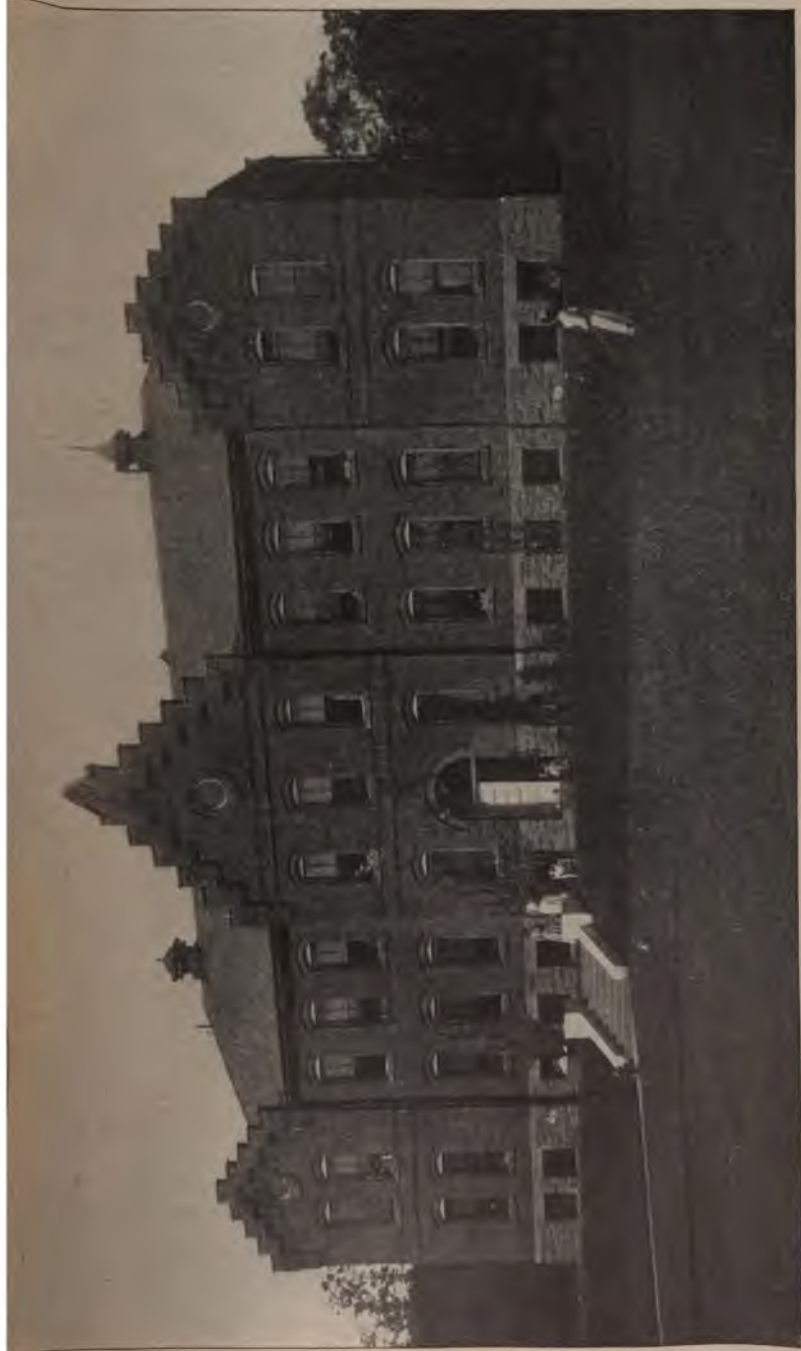
The degree of moisture on the walls of the cell house of the Sing Sing prison is really something hard to believe, unless seen with one's own eyes. I might be accused of exaggeration, and instead of giving my own observations, I will give those of Mr. J. Phelps Stokes, who is a trained medical man and well known for his philanthropic and social work, particularly in regard to prison reform movements. Here is his recent letter:

"184 ELDRIDGE ST., NEW YORK,

"February 6, 1905.

MY DEAR DR. KNOPP:—

In reply to your kind favor of the 30th ult., I am glad to testify as to the prevailing dampness in the cell building at Sing Sing prison. At times I have seen the moisture there so excessive as to be visible in myriads of drops covering large portions of the red doors and the iron fittings of the cells. On one occasion I have seen such drops coalesce and run down the bars. Conditions have been mitigated considerably of late by the enlargement of some of the windows of the cell building, but I have recently been told by the warden that even the extreme conditions above



THE MAIN BUILDING, BEDFORD REFORMATORY.



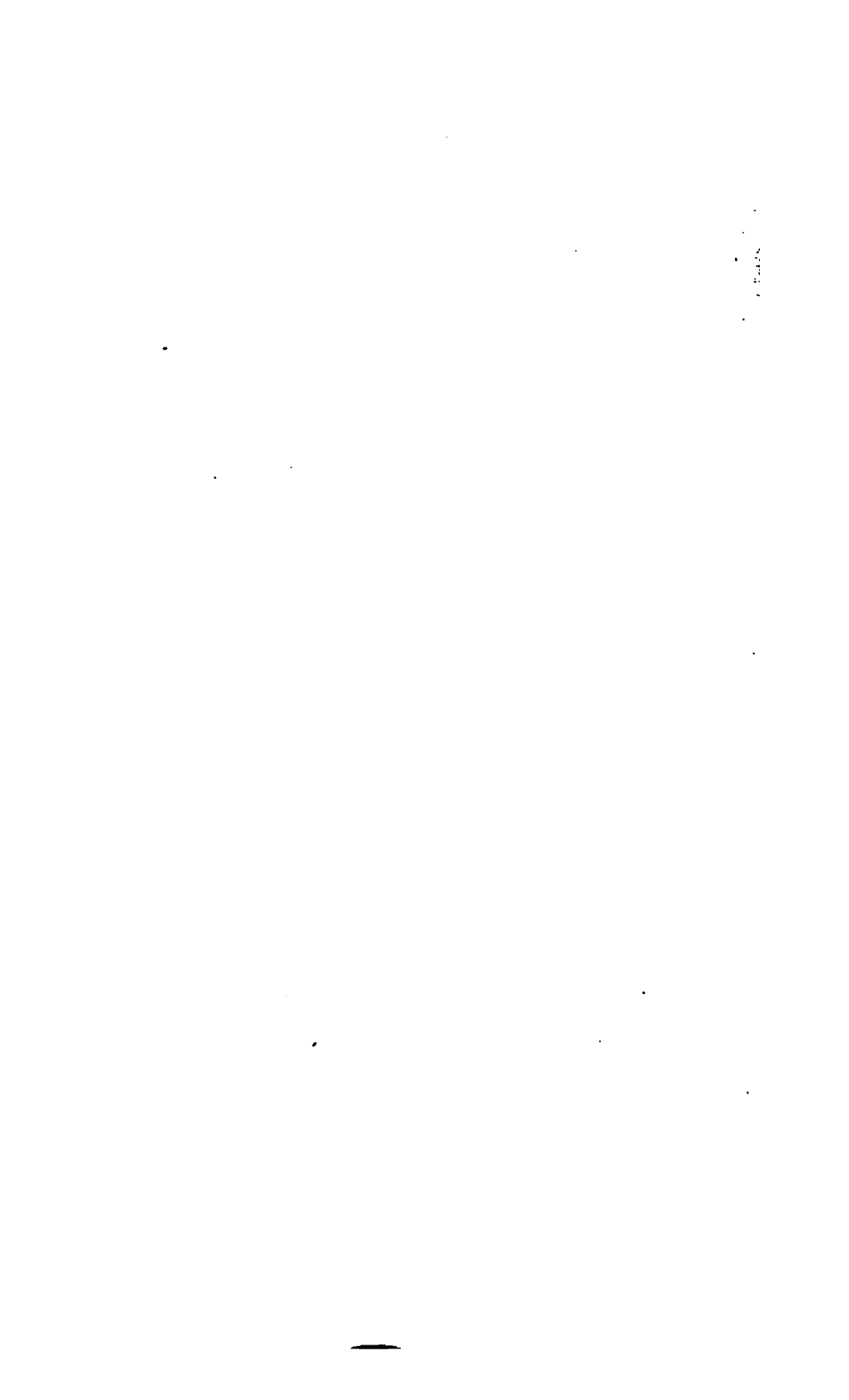
IN THE RECEPTION ROOM, BEDFORD REFORMATORY.

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A Woman's Kitchen, Wagon, Wagon, Wagon





A DORMITORY, BEDFORD REFORMATORY.



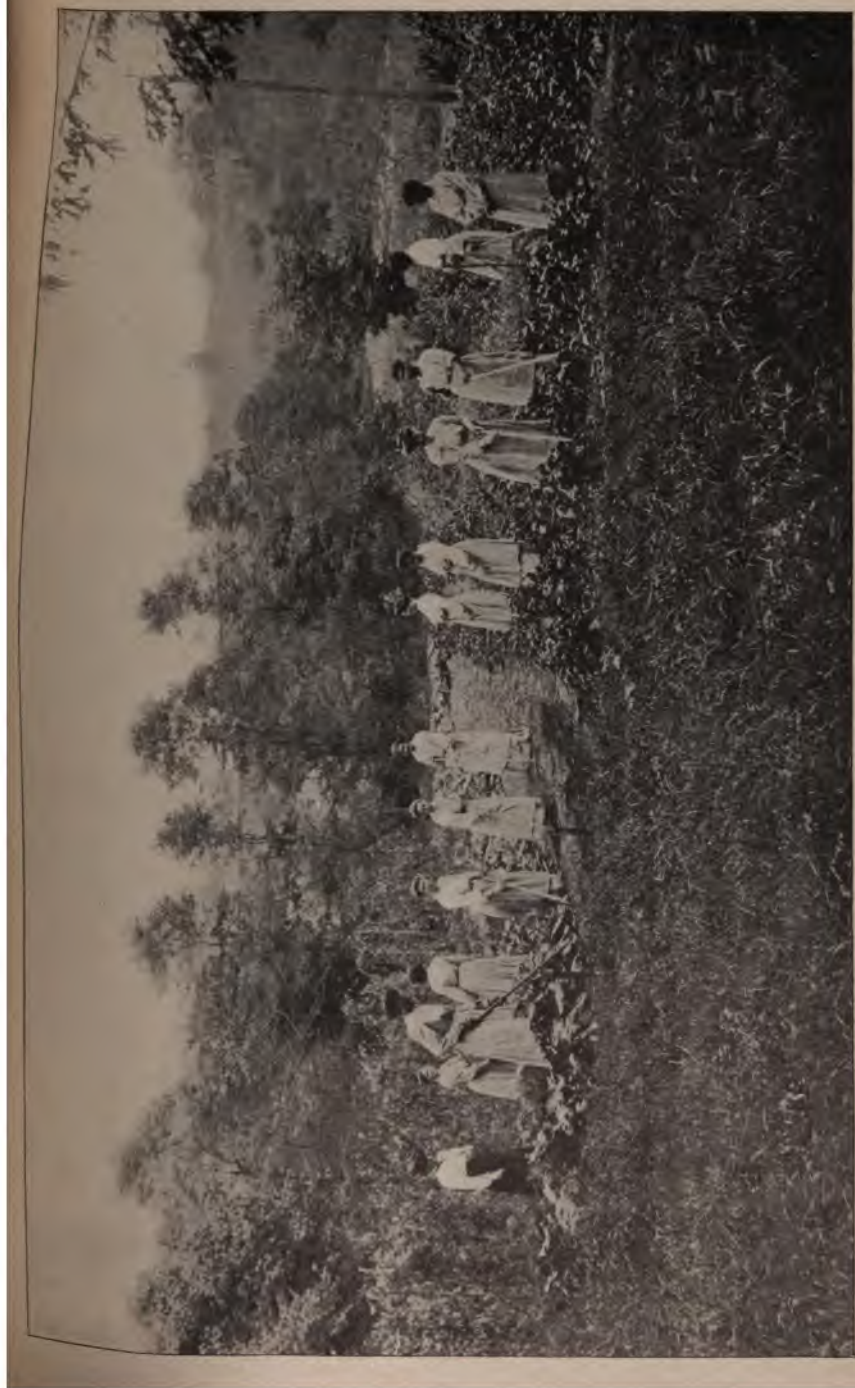
A CLASS IN GYMNASTICS, BEDFORD REFORMATORY



THE REFORMATORY DINING-ROOM, BEDFORD REFORMATORY.



THE REFORMATORY LAUNDRY, BRADFORD REFORMATORY.



FIELD-WORK, BEDFORD REFORMATORY.



OUTDOOR WORK, BEDFORD REFORMATORY

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THE WOODS, BEHIND THE HOUSE



MISS DAVIS AND THE BABIES, BEDFORD REFORMATORY.



described are frequently observed still, notwithstanding the enlargement of the windows. The walls of the lower tier of cells are nearly always damp to the touch. The annual report of the Prison Association for 1900 contains much evidence bearing upon the defective sanitation of the prison.

"Very sincerely yours,

"J. G. PHELPS STOKES."

The cells I examined at Sing Sing, while clean, whitewashed and well kept, had that characteristic odor of badly housed humanity. The architect who built Sing Sing hoped to avoid the effect of bad ventilation and overcrowding by placing a ventilation hole in each cell, but he did not take into consideration the class of occupants he had to deal with. I entered a number of these cells and found the ventilation holes stopped up with rags and clothing and over that a coat of whitewash.

Since dried whitewash, by its scaling process, will almost constantly produce a certain amount of dust in a small room like a cell, this becomes irritating to a sensitive lung, it is not unlikely that it may be an aggravating factor with prisoners who enter the penal institution only slightly tuberculous. Furthermore, a tuberculous prisoner may infect the walls of his cell either by directly expectorating thereon or by drop infection. The succeeding occupant, if at all debilitated, physically, or mentally depressed, is strongly exposed to contracting tuberculosis in such environments, although the cell may have been whitewashed anew. The scales of the new coat of whitewash, gradually disintegrating into fine dust, uniting with the underlying tuberculous dust, make an infection by inhalation *par excellence*.

The method of inhaling tuberculosis germs from infected walls has been demonstrated again and again, not only inside of prisons but in the tenement houses of the poor and even in the apartments of the rich.* Dr. Ransom, in his admirable report on "Tuberculosis in Penal Institutions," above referred to, expresses himself in regard to the delusion that whitewash is a cleaning and disinfecting agent, as follows: "Observation and experiment show that whitewash really promotes the spread of tuberculous

*Flick: "The contagiousness of Pthisis," Philadelphia 1888.

Biggs: "The Action of the Health Department in Relation to Tuberculosis," 1897.

Knopf: "Twentieth Century Practice of Medicine," Vol. X, p. 211.

disease, or it may do so. The fine scales and floating particles that emanate from the dry whitewash, when disturbed, not only irritate the bronchial mucous membranes, but they are also carriers of infection to the point irritated. This has been demonstrated to my entire satisfaction as the result of cell scraping." Dr. Ransom, in connection with this interesting observation, makes the following statement: "Certain experiments with lime burners also go to show that lime dust is favorable to the production of pulmonary tuberculosis."

To remedy the danger arising from whitewashing in small cells, I would suggest that the whitewash be replaced by oil paint which can be washed off with strong disinfecting fluids. The cells should, of course, never be smaller than 500 to 600 cubic feet, well ventilated, well lighted by natural light in daytime and by electric light at night (gas illumination absorbing too much oxygen).

In the Ohio State institution prisoners have the privilege of having their walls painted instead of whitewashed, if they wish to pay for it. The injustice of such a rule is evident. I am glad to report that upon my suggestion the painting of all the cells will be undertaken at the Columbus prison ere long.

The perpetual moisture of the stone walls of the Sing Sing prison, which is greatly increased at high tide, adds in my opinion very considerably to the unsanitary condition of the cells and of this prison in general, and the sooner another locality is found with dry and porous soil, whereupon the State should erect a modern prison, where modern prison methods will be in vogue, the better will it be for the State and its people.

The most gloomy building at Sing Sing, by reason of lack of light, and perhaps also the most unsanitary, is the present "death house." It is the place where the prisoners condemned to death await their doom, but, owing to legal technicalities, they are often detained there for months and even years.* The site for a new one has already been selected, and, I understand, work on it has commenced by this time. The new building will be larger and no doubt will have all the improvements in vogue in modern prisons.

At Columbus the worst portion of the prison is the portion assigned to the women which is constantly overcrowded, and only

*It must be remembered that not only the convicts, but the men who guard them are subjected to these unsanitary and often fatal surroundings.

a few cells receive direct light and air. Governor Herrick, most of the legislators, the medical profession, and the State Board of Health are strongly in favor of a new prison on a different site, and built with all modern sanitary improvements. In the meantime, according to the latest reports, a thorough cleaning has begun, and it is hoped that conditions will at least be made bearable until the new prison can be occupied. After the example of Sing Sing, larger windows will be made in the outer walls to admit the greatest amount of light and air in the cell houses, and the lower tiers will, if possible be suppressed entirely.

That a careful prophylaxis is well calculated to reduce the mortality from tuberculosis in penal institutions has been demonstrated by carefully gathered statistics from the prisons in Prussia. Before the era of prevention (1875 to 1878), there was a mortality from tuberculosis in these prisons of 118.0 per 10,000, while with the inauguration of preventive measures (1892 to 1894), the mortality rate was reduced to 81.0 per 100,000. (Cornet, "Tuberkulose," Wien, 1899.)

It is our right and duty for the good of society to confine the criminal and punish him, according to the gravity of his offense, by years of seclusion. But, however great the crime he has committed may be, we have no right to sentence him to contract tuberculosis. But, leaving aside all altruistic considerations, for reasons of protection and self-preservation, it is our imperative duty to do everything in our power to isolate all tuberculous prisoners, to treat every prison inmate afflicted with tuberculosis, and to give each and all the best possible chance of cure. By adhering to this policy there will be fewer tuberculous prisoners discharged upon the community and consequently a diminution of centers of infection.

During my visit to Sing Sing I had occasion to appreciate the courtesy and helpfulness of Warden Johnson, and noted with pleasure the kindness and consideration he manifested toward his unfortunate wards. What he needs, to my mind, to still improve the efficacy of the institution, besides the sanitary improvements suggested, is more helpers, better helpers, and better paid helpers. If I were a New York statesman, I would think it wise to spend just enough money to render the cell building at Sing Sing temporarily sanitary; I should insist upon the filling up of

the lower tier of cells with some concrete substance, and build, in addition, a system of drainage whereby the rest of the building might be kept at least relatively dry.

The legislature should, as soon as possible, appropriate enough money to build a model prison on a suitable site. The State of New York should not be behind in prison reform, and this new prison should do away with the old system of high walls and dark cell punishment, and resort to the more modern and humane method, paying less attention to the construction of walls and punitive measures and more to reformatory methods, such as are exemplified by the institution at Mansfield, Ohio. By the system of gradation, which awards the prisoner for good conduct, not only by diminution of time of imprisonment, but also by increased comfort and consideration for his personal well-being there are observed less infractions against prison rules, less tuberculosis and less disease in general, fewer attempts to escape, fewer repeaters in crime, and more reformation. It would seem that the modern and more humane method of treating the prisoner in our penal institution as a fellow-being morally diseased to whom the most humane methods should be applied, is, after all, the most profitable one, not only to individual, but also to society at large.

THE JAIL AT NASSAU, BAHAMA ISLANDS.

BY MORNAY WILLIAMS,

Member of the Executive Committee of the Prison Association of New York.

I visited the jail at Nassau, in the Bahama Islands, on January 31 of this year, and was shown over it by the jailer. At the time of my visit there were 55 male prisoners and 13 female prisoners in the jail. The jail itself was erected in 1864; it is therefore by no means new, and is remarkably satisfactory, considering its age; and, indeed, in many respects it is superior to many modern prisons. It is stone and very substantially built. All of the cells are large, having direct light and ventilation, opening off large and well-lighted corridors.

The prisoners, of course, have their meals in their cells and they are furnished with beds, stools and other utensils sufficient in quantity and good in quality.

They have a marking system by which each prisoner is entitled to six marks per day, for the term of his sentence; if his conduct is perfect, two additional marks a day are given for each day of good conduct, and by this system, if he receives two marks per day additional, he will reduce his sentence one-fourth and entitle himself to a discharge earlier. That is to say, suppose the sentence was for 100 days, the prisoner would be entitled to 600 marks, if in seventy-five days he had received eight marks a day, he would have worked out his 600 marks in that number of days, and would be discharged at the expiration of seventy-five days.

A further provision that was new to me, was a change of the diet proportioned to the term of sentence; that is to say, short term prisoners are put on low diet, after six months the diet is increased at stated intervals, up to two years, when the full dietary is given.

The prisoners work chiefly out of doors in gardening, road making, etc. The prisoners' garb is parti-colored. The punishments are the crank, the dark cell, and, in very rare cases, the cat; the latter is only used in cases where prisoners strike their wardens, and is said to have been only once inflicted during the year. No

punishments can be inflicted except by order of the Inspector of Prisons, who visits the prison once a day, and his right to inflict punishment is limited to three days in a cell; severer punishments can only be inflicted by order of the Commissioners of Prisons, after a trial of the prisoner.

The great majority of the prisoners are colored. At the time I visited the prison one white prisoner, a sailor, was there, and there was only one long term prisoner, a man sentenced (for a serious offence) for twenty years. There has been no execution in the island for nineteen years.

The chief criticism of the prison that occurred to me, was the fact that the smallness of the island, from motives of economy, has induced the making of the single jail a detention prison as well as a sentence prison; that all persons, whether under eighteen years of age or above, are sent to the same prison, though an effort is made to separate within the prison those under eighteen years of age from those of greater age.

As a whole, the prison was most satisfactory. A padded cell was provided for persons becoming violent, and, if after observation, a violent prisoner proves to be insane, he is transferred to the asylum for the insane.

THE INDETERMINATE SENTENCE FOR CRIME.

By EUGENE SMITH,

President of the Prison Association of New York.

Until within recent years the criminal law has undergone no essential change during many ages. Penal statutes and codes, from time immemorial, have consisted of definitions of prohibited acts and have prescribed in each case a definite penalty. As the crimes and misdemeanors so defined differ in gravity, the aim of the codes has always been to so adjust the punishment to the estimated enormity of the offense that the graver the crime the heavier shall be the punishment. To preserve this equilibrium in the apportionment of punishment to offense has always been the underlying principle in the development of the criminal law. Exact retribution has been accepted as the ideal of justice and is the basis on which has rested the entire penal system for the treatment of crime.

The attempt to realize this ideal has been far from successful. The widest variance has resulted in gauging the relation of penalty to offense. Thus, for example, the highest penalty for the very common crime of larceny is imprisonment for two years in Louisiana and for twenty years in Connecticut; for perjury it is five years in New Hampshire, imprisonment for life in Maine, death in Missouri, while in Delaware perjury is punishable only by a fine of \$500 to \$2,000, without any imprisonment at all. The severest punishment for forgery in Delaware is three years' imprisonment and imprisonment for life in New York. The average sentences for arson range from two years in Arkansas to seventeen and a half years in Rhode Island; for burglary, from one year and six months in New Mexico to eight years and four months in Georgia; for robbery, from one year and nine months in Delaware to twenty-two years in Alabama.* This diversity of penalties for the same offense extends through the entire catalogue of crimes; it shows that the theory of retributive punishment is not a practicable theory, but is one that effects unequal

* See "Possible and Actual Penalties for Crime," by F. H. Wines.

and grossly unjust results and thus seriously weakens the moral force of the criminal law.

The attempt to adjust the penalty for a defined crime to the guilt of the offender is not merely difficult; it is absolutely impossible of accomplishment. The crime is doubtless susceptible of exact definition, and such definitions are essential in every penal code but the degree of guilt in the person committing the crime is not susceptible of definition or of human admeasurement. There are a thousand facts and circumstances, relating to the degree of provocation or temptation, the habits and natural temperament of the offender, the motives that controlled him, the environment of his past life, the extent of his intelligence, his inherited qualities, and countless individual incidents, every one of which goes to aggravate or to palliate the guilt of that particular crime. The problem, from the very nature of the case, is insoluble; it is beyond the compass of human intelligence.

The absolute necessity of providing for the differences of individual cases demanded some elasticity in the retributive system. To prescribe a fixed and uniform penalty of eight years' imprisonment for assault with intent to kill, for instance, applicable alike to every case coming within the definition of that crime, regardless of the provocation or lack of provocation attending the assault, would be too revolting to common instincts of justice. The device was long since adopted of softening the rigidity of a uniform sentence by enacting a minimum and a maximum term of imprisonment for each crime punishable by imprisonment—"not more than ten nor less than five years," "not more than one year," "not more than three years and not less than six months." Expressions like these are found in almost every penal statute. They are designed to cast upon the judge conducting the trial the duty of measuring the prisoner's guilt and of pronouncing a just sentence, the duration of which, the law decrees, must lie within the limits named. This imposes upon the judge a cruel responsibility. He is required to form an estimate of guilt which involves a probing of the prisoner's motives, character, training, temperament, opportunities—that lie open to omniscience alone—and that, too, on the most slender and inadequate data, for on a criminal trial these determinative facts and circumstances are not (*and can not be*, except in the most superficial way) the subject

of judicial investigation. And so the most conscientious judge is compelled to make a haphazard guess, based upon the appearance and bearing of the prisoner and the scanty facts established by the testimony, and so pronounces sentence—five years, or, it may be, twenty years.

Besides this inherent difficulty of making bricks without straw, *the* commitment of the length of sentence to the discretion of the *judge* introduces another personal equation into the case. The *judge* has a temperament as well as the prisoner. He may be *constitutionally* inclined to mercy, or, on the other hand, he may be *habitually* severe and even harsh in his judgments of men; *his* sympathies may be easily moved, or he may have an irritable, *moody*, stern temper. A prisoner arraigned before one judge may receive a sentence of two years, when it is certain that if *tried* before another judge he would have been condemned for *twenty* years. All these inequalities and uncertainties effect *injustice*; they cast discredit on the law and greatly impair its efficiency.

It is the logical consequence of the retributive theory that when a *convict* has duly served his sentence he is said to have atoned for his offense; so far as the State is concerned he is purged of *his* crime and is entitled to regain his freedom as if he had *never* violated the law. This right to a discharge is an absolute *one* and wholly irrespective of the convict's character or purposes. It may be morally certain that he will immediately return to a life of crime; he may even avow openly his plans and intention to do so; still, the law has no provision for his further detention and, by the expiration of the term of his sentence, he becomes *ipso facto* a free man. This is practically the most dangerous feature of the retributive system. Discharged convicts now constitute by far the most hardened and desperate class of criminals; they are the experts, the instigators, the skilled leaders in criminal enterprises. And whenever a crime of unusual enormity shocks the public, investigation is generally sure to prove that the crime was planned and executed by ex-convicts. Not less than ten thousand felon convicts are discharged from the prisons of the United States every year. By this vast army the retributive penal system is constantly replenishing the criminal class, renewing its strength, stimulating its energy and supplying it with experienced leaders.

The defects in our penal system thus passed in review are the logical results of the retributive theory of punishment. Let the theory be subjected to a closer analysis: When a criminal is found guilty, *why* does the State condemn him to imprisonment? What justifies such imprisonment and what is the object to be attained by it? The State confines a convicted criminal in prison, according to the theory of retributive punishment, in order to make him suffer: the suffering is the penalty of his crime, and when it has been prolonged to a degree commensurate with his guilt the prisoner is held to have paid the penalty and to be purged of the crime. Justice is then said to be satisfied and the incident is closed. The State, on the other hand, is held to have discharged its full duty when it has thus forced the prisoner to make atonement for his crime.

This is a very narrow view of the relation of the State to crime, and a very false view of the ends of government by law. The State is justified in imprisoning a convict on precisely the same ground that it is justified in confining in an asylum a lunatic who is suffering from violent mania, or in forcibly placing in a hospital a smallpox patient who is at large. The reason for the enforced restraint in all such cases is the same; it is not safe for the community that these persons should have their freedom. The motive properly governing the action of the State, the end to be attained, are in each case the same, namely: *the protection of the public*. Not retributive punishment, but public protection, is the legitimate aim and the sole end of government in the treatment of crime and of criminals.

The acceptance of this substitution in the fundamental aim of the whole criminal law involves a revolutionary upheaval of its entire structure relating to penalties. The question is no longer one about penalties, whether the prisoner shall suffer, how much or how long he shall suffer, when and how he shall atone for his crime. The only practical question is, What method of treating the convict will best serve the protection and well-being of the community?

To sentence a burglar at the time of his conviction to imprisonment for the term of five years is as irrational as it would be to send the lunatic to an asylum for the pre-ordained time of five years, or the smallpox patient to a hospital for exactly three

weeks. The lunatic and the person afflicted with contagious disease must be confined until they are cured—until it is safe for the public that they be discharged. The same course is the only rational one to adopt for the criminal. To grant liberty to a convict without any reasonable ground of assurance that he will lead a law-abiding life is an act of suicidal folly; it is itself a crime committed by the State against all its citizens.

The indeterminate sentence has been devised in recognition of the principle of public protection as opposed to that of retribution. By this sentence a person convicted of crime is sentenced to imprisonment—not for any fixed or definite term—but to imprisonment simply. The imprisonment is to continue until the prisoner shall have undergone such a change in his character, habits and purposes as to render it safe, in the judgment of a competent tribunal, to restore him to freedom.

Of course, the indispensable concomitant of the indeterminate sentence is a reformatory system of prison treatment. Confinement in prison affords protection to the public only while it lasts. Effectual and permanent protection can be secured in but two ways: either the prisoner must never be restored to freedom, or else he must be so reformed that he can, with safety to the public, be set at liberty. The latter alternative is not only the more humane; it is also the more economical, and on both grounds the protection and well-being of the public demand the reformation, as much as they demand the imprisonment, of the criminal. There is hardly any other branch of science in which such useful and demonstrable results have been accomplished within the last thirty years as have been achieved in the science that deals with the administration of prisons. It has been fairly demonstrated that a large percentage, much more than a majority, of all convicts can be so transformed, through prison discipline and training, that they can safely be intrusted with freedom and that they will abstain from crime and lead industrious and honest lives. What these reformatory methods are in detail, how they are applied and how they effect their end constitute a most interesting study. It is possible within the limits of the present article only to refer to one feature of them which closely bears upon the indeterminate sentence:

A cardinal principle of the reformatory system is the individual treatment of prisoners. Every effort is made to gain and to

record all available information regarding the past life of each prisoner. His life while in prison passes under close scrutiny, and the results of such observation are minutely recorded. Every convict is subjected to special treatment adapted to his capacity and having reference to his points of strength and of weakness; in numberless ways he is subjected to tests, and his successes and his failures are carefully noted in his record. By these methods the inmost character and purposes of the prisoner become unfolded to the prison officers; the system is so searching that shams and deceit are unavailing and are well-nigh impossible. Moral, industrial and educational agencies are constantly employed in the effort to develop in the prisoner habits of industry and thrift, principles of honesty, worthy aspirations and correct views of life. When it comes to the question of his fitness or unfitness for freedom the record of his life in the prison yields ample data upon which to found a judgment regarding his capacity, his power of self-control, the strength of his moral purposes—in a word, regarding his intention and his ability to lead an honest life. The decision can safely be intrusted to a board of experienced men acting in cooperation with the officers of the prison, and the judgment arrived at can be formed with as much confidence in its correctness as, for example, in the decision of a body of physicians that an insane patient has recovered his sanity.

It is the vital principle of the indeterminate sentence that no convict should be discharged until he is fit for freedom. This principle is of inestimable value and is beneficent in the protection it gives not only to the public but to the convict himself. However degraded or desperate, the criminal is still a weak human being; he needs restraint and uplifting influence from without; if left to himself he is sure to sink deeper in degradation and vice until he accomplishes his destruction. The worst fate that can befall such a being is to be turned adrift to wallow in the mire.

The indeterminate sentence reverses the attitude of the State toward the criminal. Under the retributive theory the State presents itself to the wrongdoer as an avenging fury, pursuing him in order to inflict suffering upon him and, when it has wreaked its vengeance, casting him forth with nothing but *threatenings for the future*. This view of the State—and is it not

justified?—serves to embitter the criminal; he regards society and all government embodied in the State as his worst enemy to be defied and defeated. By the indeterminate sentence, on the other hand the State presents itself to the criminal as a beneficent power, seeking his amelioration and aiming to rehabilitate him and restore him to manhood.

In another way the indeterminate sentence is a most potent instrumentality toward the reformation of the convict: Under this system the duration of the convict's imprisonment is dependent upon the convict himself. None of the reformatory agencies can be effective without his active cooperation. The instinctive love of freedom, the longing for release, constitute the strongest motive that animates the prisoner. And when he is made to realize that he has to work out his own salvation and that the length of his imprisonment depends on his own exertions, the strongest possible stimulus is applied to him to surrender himself to the reformatory influences that surround him.

The indeterminate sentence is not properly applicable to every offense. Capital crimes, which incur the sentence of death or imprisonment for life, ought to be excepted from its operation. Such crimes import so frightful a danger to the community that the risk of their repetition by persons once convicted of them can not safely be incurred. If peculiar circumstances can in any case justify the release even of a convict guilty of a capital crime, the power to pardon vested in the Governor is plenary. It is also a question how far this form of sentence can be successfully applied to petty misdemeanors. But for the great body of crime lying between the extremes at each end of the scale the indeterminate sentence is the most effective measure of public protection and the most useful instrumentality toward the convict's reformation that has ever been devised.

The indeterminate sentence is no longer a mere doctrinaire's theory. It has now become firmly imbedded in American criminal jurisprudence. In modified forms, all of which, however, embody its vital principle, it has been incorporated in the statutes of various states of the Union, notably New York, Massachusetts, Connecticut, New Jersey, Ohio, Illinois, Indiana, Minnesota and Colorado. In most of these states the indeterminate sentence is agglutinated to the old penal codes by the provision that the term

of imprisonment under it shall not be less than the shortest, and shall not exceed the longest, term prescribed by the codes for the offense committed. Such limitation between a minimum and a maximum term is not logically defensible, but until the system of reformatory treatment (which is the necessary complement of this sentence) shall have become more fully matured and universally adopted the limitation is probably a prudent one.

Another essential concomitant of the indeterminate sentence is the feature of conditional release on parole. When a convict is deemed fit for release a situation where he can have employment is procured for him through the efforts of his friends or through the agency of the State and he is sent there on probation. He remains for a term (generally six months) a ward of the State, still under sentence and under official supervision. If he falls into evil ways and seems to be gravitating back toward crime, he is rearrested and returned to prison for further treatment. If he passes the probationary period leading an honest life and demonstrating his intention and ability to abstain from crime, he obtains a final and absolute discharge.

The indeterminate sentence is distinctively an American institution. The State of New York has the honor of first incorporating this form of sentence in effective legislation. In the New York State Reformatory at Elmira Z. R. Brockway developed the system and exhibited to the world a demonstration of its value. Among the states that have since adopted it are those which stand foremost in power and influence, and there is reason to believe that the indeterminate sentence will ultimately become a fundamental element in the criminal jurisprudence of all the states and of the Federal government.

In the universal adoption of the indeterminate sentence, with all that it logically involves, rests the strongest hope for final victory in the contest, which has hitherto been a losing contest, for the suppression of crime.—*From the Independent.*

INHUMANITY AS A CURE FOR CRIME.*

BY SAMUEL J. BARROWS.

To the audience which I have the honor of addressing the title of my paper involves a moral-paradox. It is not evident to the clear insight of this body of friends how inhumanity can be a cure for anything. The very statement is a contradiction, which contains its own refutation. It is gratifying also to think that we are reaching a time when this proposition, considered as a statement of theory or a principle would not be accepted by a large number of people who claim to be civilized. If it were universally rejected both as a principle and in practice, I should not come here merely to read a joyful obituary. If it were grandly true, that in the progress of truth and light, we had reached a point on this continent and on the others where intelligent, wise, merciful discipline, and due forethought in prevention had taken the place of inhumanity and cruelty in the treatment of crime, you would forgive me if I should burst out into the doxology: "From all that dwell below the skies," and I should join with you in a profound and eloquent ascription of grateful silence.

Unfortunately, however, though the humane sentiment has scored its bloodless victories and extended the area of its domain, we have not yet reached a point in the history of the world, when we can say that the kingdoms of the world have become the kingdoms of our God. We have abandoned many of the old weapons of cruelty of the past, but unfortunately other weapons have taken their place. And what is of more fundamental importance we have not eradicated the spirit of cruelty and retaliation, and the appeal to brute force which marked the treatment of crime in the past. It is still lurking in our codes and sentences, still reveals its ferocity in fearful reprisals in lawless communities, and shows its claws and its teeth in a system of punishment which undertakes to do by repression what can only be done by prevention and reformation.

*A paper delivered before the annual meeting of the Society of Friends, Toronto, Canada, August 16, 1904.

It is my purpose to-day to present these two methods in contrast; the method of brutality over against the method of humanity; the method of repression with the method of prevention; the method of retaliation with the method of reformation.

On this subject, we are not talking wildly, we are not dealing in guesses. If we can appeal to the moral illumination of great leaders and prophets, we can also appeal to a great body of experience which forms part of the history of the world. If we blindly ignore the teachings of those who have had the inner light and have sought to illumine our darkness, we can not ignore the accumulated results of human experience confirming as it does the vision of the seers. Human experience from its dark and bloody record says with sad and penitent authority that we can not accomplish with the weapons of darkness what can only be accomplished with the powers of light; that we can not refine, protect, and develop society and eliminate crime and social disorder, by adopting the brutality and the standards of ethics which make crime possible.

The history of punishments shows that inhumanity as a cure for crime has been a failure. And this is one reason why the world has been gradually discarding it. Some of you have visited the old tower of Nuremberg, and seen the collection of instruments of torture with which it is filled. It is a terrible array of every form of machinery which human ingenuity could devise to inflict pain. It is worth while to keep these fearful relics of vengeance and torture in a museum as a part of the memory of the race so that we shall not forget the lesson they teach. These instruments were not discarded because they did not work mechanically speaking; in this sense they worked too well. They were discarded because they were not a success morally. They did not accomplish what was expected of them. They could inflict pain; they could terrorize; they could maim and destroy; but they could not reanimate, inspire, instruct, elevate, reconcile, purify or reform. They were instruments of vengeance and hate, not of light and love. They could not reform the criminal, nor could they reform society. Their use was a parody on the name of justice, and a blasphemy on the name of religion which sometimes invoked them.

So in England we may still see the remains of the stocks and pillories, and the gibbets, the ducking stools and whipping posts which were a part of the paraphernalia of social vengeance; and we know that England is not worse, but that she is a great deal better to-day than when she attempted to enforce justice and establish social order by such means.

It stands out clear in black and red on the page of history—black with shame and sorrow and red with the blood of the victims that *man can not be made better by punitive machinery.*

A study of laws and statutes tells the same story; that the work of reformation and prevention can not be done by repression. Drastic laws have reacted on the communities which imposed them. It was assumed by law-makers that the most efficacious way to prevent crime was to adopt deterrent penalties. And it was logically assumed that the severer the penalty imposed, the more certainly would the offence be prevented. Hence, we find terrible penalties imposed for the most trifling offences. In the year 1279 "not fewer than 280 Jews were hanged for clipping coin." Here the crime committed by the law was vastly greater than that committed by the offender. In 1285 at Exeter, England, the mayor of the town and the porter were both executed because of neglect of duty in omitting to fasten the city gate at night, the result being that a murderer had escaped. Here the law in its blindness committed two murders to avenge one, and sacrificed a good citizen who had been chosen mayor eight times because of the failure of a subordinate to close a gate.

In the 37 years of the reign of Henry VIII it is recorded that 37,000 criminals were executed.

But we need not go so far back to see the small value placed on human life by the law and the large value ascribed to a small amount of property. Charles Dickens in the preface to *Barnaby Rudge* relates the story of a young woman whose husband had been torn from her by the press gang. In a time of sore distress with her babe in her arms she was caught stealing a shilling's worth of lace from a shop in Ludgate Hill, London, found guilty of the offence and put to death on the gallows.

It was about the year 1818 that George Cruikshank, the famous designer and artist, passing the Old Bailey, saw several persons hanging on the gibbet opposite Newgate prison, two of whom were

women. He found that they had all been hung for passing forged one-pound notes. Here was a wholesale destruction of life for the offence of obtaining a few shillings by fraud. Cruikshank made a cartoon which caused such public protest against this wholesale judicial murder, that hanging as a penalty for this offence was abolished, and eventually as the result of further agitation it was abolished for minor offences.

Society learns by experience, and one of the things it is gradually learning is that deterrent penalties do not deter, and that repression does not repress.

To illustrate this let us take the history of capital punishment. This form of punishment has been invoked as a corrective for nearly every form of crime, from the most trivial to the most serious. John Bright, looking back a hundred years, pointed to the fact that nearly 200 offences had been punishable with death. In the year 1785 not less than 97 persons were hanged in London in one year, although the population at that time was scarcely one-fourth what it is now. But not a single improvement in English society can be traced to this severity. Respect for law and order are developed not through the motive of fear, but through a sense of social and individual responsibility. Century after century the motive of fear has been invoked to check the progress of the world, and Socrates has been given the cup of hemlock, and Jesus has been led to the cross, and Servetus to be burned, and some of your fathers in the faith to be scourged and banished; but the sentiment of fear has not prevented men from doing right and obeying the dictates of their conscience; neither has it prevented them from doing wrong and taking the consequences of their acts.

On this point let me give some evidence that is recent and very strong. There has grown up in some of the states of the United States a terrible practice called lynching. It is the putting to death of persons accused of offences without the process of law. It is a method of vengeance directed almost exclusively against offenders of the colored race, by members of a race which formerly held them in servitude. It is a method of retaliation marked by the most frightful tortures. Not only hanging, but burning to death—a form of capital punishment abolished in *every civilized country*—is employed. It is a terrible blot upon

the good name of a country like the United States that offenders should be subject to the most barbarous treatment without judicial process. An excuse is sometimes offered by weak apologists for this form of crime who say that it is necessary for the repression of crime. That is to say, we must commit crime to reduce crime, a method which is illogical in principle and futile in practice.

Now, as to the effect which lynching has had in reducing crime, read the official judgment of a southern man who looks at this matter wholly without sectional prejudice and from the standpoint of a high official position. I refer to Governor Jencks of Alabama, who gave his opinion in unmistakable terms in his annual message to the Legislature, January 14, 1903. He says:

"The excuse urged for lynching for crimes which are common in the south is no excuse at all. The man who criminally assaults a woman in this State, if allowed to be tried, will certainly get his just deserts at the hands of the law. * * * Other classes of citizens for other crimes escape the just penalty for the violation of the law, but the negro, and for the gravest of all crimes, never escapes. * * * There have been quite a number of lynchings since you met here. In the last year and a half, or during my official incumbency of this office, I recall five such crimes. One of these lynchings was for the crime of criminal assault. So easy was it for the mob spirit to get away from the original cause for provoking that spirit that three of the latest of these crimes were for other offences and two for no offence at all. In one county near the capital city, a lot of self-constituted guardians of the peace and honor of their homes, in an attempt to mob a negro who had committed an offence, which, under the law, could not have called for a sentence of more than two years, took his brother, innocent of any offence at all, and hanged him. I am glad to be able to say to you that there was a just judge and a sufficient number of law-abiding citizens to give these men, or some of them, a term in the penitentiary. I believe these are the first like offenders to serve the State since the great war. No man had heretofore gone to the penitentiary for lynching a negro. It is our shame! Now that the law has begun to act, let law-abiding citizens and just judges see to it that other murderers go not unwhipped of justice hereafter. Following this case, a mob in Pike county took a negro away from a constable—I know not with what difficulty—and lynched him. His offence was probably swearing contrary to one of his white neighbors in a justice trial on a proof of character. This was a cold-blooded murder and without excuse at all. * * * The murderers go about. None

of them will be hanged as they should be. Another case grew out of an assault to murder; and still another, in a hunt for a rapist, the murderous mob found the wrong man. The man the outlaws killed in this last case had never seen the rapist's victim or heard of her. Human life is about as cheap in Alabama as it is anywhere. One or two southern states vie with us and may overreach us in the low price we put on it, but we are shamefully near the bad eminence. And sheriffs can prevent this lawlessness in most cases."

Here we find unbiased and reliable evidence from the Governor of Alabama that lynching instead of furnishing any social protection actually becomes a great moral danger; for it leads to the taking of life of the innocent people. When a mob becomes indifferent to the innocence or guilt of a prisoner but murders him because he is the brother of a man who had committed a minor offence, we see how all the safe-guards of society are relaxed and what a terrible spectacle of cruelty and unrighteousness the lynchers present when they masquerade in the name of the law they have themselves broken. Crime is never more dangerous than when it is invoked to avenge crime. Judicial judgment is blinded by unrestrained fury, and the scourge of its unmeasured penalty falls on the innocent as on the guilty.

The testimony of the Governor of Alabama is confirmed by that of Governor Aycock of North Carolina, who, writing independently and delivering his message a week before, January 7, 1903, says:

"During the past two years there have been eight lynchings in the State: three for murder, one for attempting to poison, three for rape, and one for assault with attempt to rape. * * * In newly settled districts, sparsely populated, largely filled with lawless men, committees of vigilance sometimes become a necessity for the preservation of the safety of the citizens; but in a State with an established government, having courts in full operation, there is no justification for resorting to lynch lawlessness, for this is the correct characterization of every lynching. The resort to this practice is neither justified by reason nor do the results attained by it show its efficacy. The crimes for which this summary punishment is meted out do not decrease. The safety of every citizen is better guaranteed by the orderly execution of the laws of the land. * * * I can not too strongly urge on your honorable body the duty of devising some means for the efficient, certain and speedy trial of crimes, and at the same time

to make such provision as will protect every citizen however humble, however vicious, however guilty, against trial by the mob."

If capital punishment does not act as a deterrent when it is used lawlessly as this testimony shows, neither does it act as a deterrent when it is used under the sanctions of law. In the history of this punishment, great efforts have been made to give it a deterrent character by making it as public as possible. It was the practice in England until the last century not only to hang criminals publicly, but to expose their bodies on the gibbet for weeks after their death. This was part of the terrible warning. But the supposed terror eventually turned to disgust. It excited hostility to law instead of respect; and with greater refinement of public feeling the demand came that public executions should cease. The public refused longer to gratify its curiosity or a desire for vengeance by such spectacles. Such a scene too may either dull the sensibilities of the spectator or awaken a sentiment of compassion not contemplated by the law.

Twice in my life as a young man, a member of the New York press, I was called upon to witness and describe an execution. One was the hanging of a negro man and the other the hanging of a white woman. Both of them occurred in the State of New Jersey. In a state of religious exaltation the colored man went to the gallows with a splendid heroism and a contempt of death which gave to the tragedy the only moral quality it had. What were the feelings which this spectacle awakened in more than one bystander? A feeling of compassion and of admiration for the man, and a feeling of revolt at the implacability of the law. The crime of the man was unpremeditated; it was committed in a moment of sudden passion, of which he had sincerely repented; the crime of the law was cold, premeditated, unrelenting retaliation. The transient brutality of the man did not seem so unpardonable as the sustained brutality of the law. After the man was hung, with a view to exert a deterrent effect, the jail yard was opened, and the great crowd outside, men, women and children, passed in to sate their curiosity, and to receive the supposed warning. Nothing was more disgusting and terrible in the scene, than the sight of two little children about five years of age hand in hand in the procession, halting before the gallows

to have this scene photographed on their young and tender minds. From a psychological and a moral view how absurd to begin by hardening and brutalizing the sentiments which need to be nurtured in tenderness and delicacy, pity and love. Filled with moral indignation, we reporters wrote up that scene as a terrible indictment of the State of New Jersey and the sheriff of New Brunswick; and the next execution was held in relative privacy because it was no longer deemed a good thing for the public to witness such a scene. Most of the Northern states that retain capital punishment now provide for private executions. Governor Chamberlain of Oregon, in his message of 1903, regrets the existence in that State of public executions, and declares that "they should take place within the walls of the penitentiary, out of hearing and out of sight of all except officials."

When we have reached a point in the administration of a law that we feel that it is a bad thing for the public to see it, that it degrades and brutalizes, it is time to ask ourselves whether a practice which has ceased to be beneficial ought not to be abandoned.

This is the view taken by Governor Savage of Nebraska in his message for 1903:

"Some years ago Nebraska, in pursuance of a policy adopted by organized society in several other states, enacted a law authorizing the imposition of the death penalty on conviction of murder in the first degree. * * * In this, our day of boastful enlightenment, we find employed in the administration of justice, instruments which in the darkest ages represented the most vicious form of punishment human savagery and barbarism were able to conceive. * * * Capital offenses are committed as frequently in the states where capital punishment is in vogue as where it is not. I would recommend that your honorable body place Nebraska among states representing the highest type of civilization and the teachings of the meek and lowly Nazarene."

These extracts from the messages of governors of American states show that in their view, excessive punishment still exists and that it has not been a cure for crime. Within a few weeks a southern judge, Judge Spier of Georgia, has pronounced a strong condemnation of the chain-gang system in that state. He *describes its barbarous* character and shows that it is imposed for

the most trifling offenses. Last year that angel of mercy in the south, Miss Julia Tutweiler, of Alabama, called attention to the terrible condition of southern jails; and the State Prison Commission of Alabama with great courage has likewise written a bold indictment of the jails of that State. That similar arraignments of the prison systems of other states have not been made, is not because evil conditions do not exist, but because they have not been discovered and proclaimed with equal fidelity and courage.

There is hardly a state in the United States in which there are not relics of the system of repression either in law or in practice. Capital punishment still exists in the majority of states. In Delaware we have the barbarity of the whipping post. The warden of the prison of that state has testified to its ineffectiveness as well as to its cruelty.

Another form of inhumanity is still more common. It does not consist in inflicting positive pain, but in depriving prisoners of things which are essential to their life and health. So we still have jails and prisons in which men are deprived of fresh air and light and this form of inhumanity exists in some of the most enlightened states. Take the State of New York. We have had for more than 75 years at Sing Sing one of the worst prisons in the country. Again and again it has been proclaimed as a "disgrace to civilization" by our superintendent of State prisons, by the members of the State commission of prisons and by the Prison Association of New York. Its cells, into which for 75 years no direct ray of sunlight ever entered, are more like niches in a tomb than places for living human beings. It is only within the last two years, as the result of repeated agitation, that we have succeeded in getting large windows put in the outer walls. As the result of dampness and darkness many a man sentenced to Sing Sing for larceny has been sentenced to death. This sentence has not been pronounced in the court, and the judge did not know he was inflicting it; but in many cases tuberculosis has followed as certainly as commitment has followed sentence. Enlightened humane sentiment demands that prisoners should not be robbed of their health any more than of their life. Good health is an essential basis for industrial success which is one element in moral recovery.

It used to be thought before the therapeutic value of work was recognized that a sentence of a prisoner to hard labor was an augmentation of the punishment. We are coming to see more clearly that a sentence to idleness is vastly more cruel than a sentence to a reasonable amount of productive and educative labor. Yet this sentence to idleness under which thousands of prisoners are deprived of one of the most important of all moral influences is nowhere more deplorable than in the State of New York. In the penitentiary at Rochester you may see 100 men in one room and 75 in another sitting in absolute idleness under the watchcare of a keeper; and this absurd punishment is inflicted under the assumption so unfortunately embodied in our State Constitution that these men if they labored in prison might compete with free labor outside. In our jails the conditions are even worse; not only are prisoners deprived of work, but they are deprived of physical exercise in the open air and are exposed to another form of cruelty, the cruelty of moral contamination. This is the inevitable result of promiscuous intercourse. If to compel a prisoner to contract tuberculosis by shutting him up in a small cell with a man who has the disease, is an indefensible form of cruelty, it is equally indefensible and cruel to expose a young offender to moral contamination by shutting him up with a hardened offender.

These and other practices still common and still deplorable show that inhumanity has not yet been eradicated from our penal system.

The incontestable verdict of history, whether ancient or modern, is that inhumanity is not and can not be a cure for crime. All the way down the corridors of time for more than twenty centuries are resounding voices which say unto us: "and yet I show unto thee a more excellent way." It is the way of prevention; the way of reformation.

In the new penology of our day the most important of all efforts is the effort we are making to enlarge the area of prevention. Jesus said "suffer little children to come unto me." His disciples did not seem to think children of very much importance. It is only in recent years that we are beginning to see that children are of immense importance. One of the most *remarkable* judicial movements that has ever taken place in the

United States, a movement which has been set in motion in the last four years, is a recognition of this fact. I refer to the movement for the establishment of children's courts. Already some thirteen states have projected laws. This movement is immensely significant. It means that society is entering into a new epoch of consciousness. Hitherto we have held that the child was or was not responsible for a certain act and the court has had to determine the fact. But now we are learning that antecedent to the question of the responsibility of the child is the question of the responsibility of society. We are learning that it is useless to invent laws or machinery to repress crime so long as society perpetuates conditions which create crime. We are coming to see the inter-relation of our efforts to improve social welfare. The restriction of child labor, the multiplication of public parks, children's gardens, vacation schools, recreation piers and yards, boys clubs, manual training schools, kindergartens, and all the work of the settlements have a direct and important bearing on the reduction of crime. With the multiplication of these agencies fewer children come under the grasp of the law, and when they do, the juvenile court is another instrumentality for increasing the area of prevention. The essential and supreme object of the juvenile court is to *save the child*. In saving the child there can be no doubt that we are saving society.

The most potent instrumentality in the salvation of the child who has come under the grasp of the law is the probation officer and the probation system. The resources of the judge are not inclined to committing an offender to prison or even to a juvenile reformatory. With the right kind of a probation officer, a large percentage of such cases can be corrected without withdrawal from society at all.

Save the children is the cry of the children's courts.

We have found too, that if probation may be applied to children under sixteen, it may be applied advantageously to those who are over that age; to offenders from sixteen to twenty and from twenty to thirty years of age. Indeed no absolute line can be drawn at any age. Of several hundred cases of persons convicted of committing felony, and placed on probation under the custody of the Prison Association of New York, 90% are doing well. The average age of these offenders is about 24 years.

Thus, better results were obtained from putting them on probation than from sending them to prison, a clear proof that imprisonment would be a worse method to use in such cases. Probation work is thus partially preventive and partially corrective. It corrects the first mistake of the offender and prevents him from falling into habits which lead to crime. It prevents him too, from being sentenced to jails and prisons where criminals are manufactured.

Where preventive means and probation do not succeed, and it is necessary to withdraw the offender from society, we are learning that correction is better than punishment. The discipline may be hard but it must be a discipline that corrects not one that destroys; it must be animated with hope, permeated with mercy, and administered in love. Every year more than 400 cases from the Elmira Reformatory are placed on parole in the custody of the Prison Association of New York. More than 80% of those cases turn out well. Results are secured which could not be obtained by ordinary prison methods.

It is marvelous how the resources of society against crime are increased when we abandon the theory and practice of retribution and repression, and substitute the forces of prevention and correction. Then all the resources of education, all the incentives of industry, the inspirations of hope, the sense of obligation, and the strength of affection are brought to bear upon the prisoner with magic effect. We have not yet half realized what an enormous force is at our command for the redemption of society. We are now discovering that the great sentiments which are sometimes treated as if they were elements of weakness, are, after all, the strongest forces of the universe. We can apply now the most rigid scientific tests to these sentiments as to other moral forces and can show that as light is more potent than darkness, so the warmth of the great humane sentiments is more vivifying than the coldness of moral neglect or the destructive forces of cruelty and hate. Love is still the greatest thing in the world and no victories wrought on human battlefields can equal those victories of peace which have been won in its name.

At the beginning of the last century a quiet little woman in a plain dress came to be a great force in the history of benevolence. Beginning to work in a neglected English prison the influ-

ence of her life and spirit soon radiated beyond the prison walls. It passed across the channel, it kindled a new spirit on the continent and at last this consecrated Quaker woman was summoned by kings and queens to bring to them her message of love and redemption. It is a striking illustration of the great force that may be exerted by a single personality. When I hear people saying that the work of the Society of Friends is done, I think of the work of Elizabeth Fry and how much she would find to do if she were still here. That life was fruitful and beneficent. She helped to teach the world that cruelty and hate can not do the work of love and devotion. Her mission is not yet wholly accomplished and will not be until the spirit of retribution and hate and cruelty are banished and the spirit of justice, mercy, hope, faith and love reign in its place.

PROBATION WORK.

No work of the Association is more important than its probation work at the Court of General Sessions. Our general agent Mr. Kimball, assisted for part of the time by Mr. A. E. Bullard, has continued the work which he has well conducted for many years.

His report shows that 456 investigations were made last year in cases of felony. Sentence was suspended in 185. Forty-two persons were acquitted on trial through the aid of the association.

WORK, NOT PUNISHMENT, THE REMEDY.

Frank Browning, a boy 17 years of age, lost his parents through death, and having no living relatives, was left alone in the world. For a time he had work and managed to support himself, but business dropped off; the boy was discharged and he soon found himself in a condition bordering on starvation. His boy friends helped him for a while, but he was soon without food or lodging. He slept in stalls and barns in the Bronx, and picked up food wherever he could, occasionally making a few cents by doing odd jobs. At last he became desperate and tried to break into a tool box in the street to get something that he could sell or pawn. A policeman saw him and took him to the station

house. He was held for the grand jury in the Magistrate's Court and when brought before the judge in Court of General Sessions, having no friends or lawyer to intercede for him, he pleaded guilty to the charge as stated. The officer recited the facts to the judge and because no property was actually lost, Frank was released on a suspended sentence; simply thrown back on the world and into the same position he was before. Three days later he walked into court and actually asked to be sent to prison where he would at least have a place to eat and sleep.

The judge sent for the general agent of the Association and turned the boy over to the care of the Prison Association, remarking that there must be some good in the boy, who preferred to go to prison rather than commit another crime.

Employment was found for him in one day, and Frank has started on what we hope will be a career of usefulness.

IGNORANT BUT HONEST.

The attention of the general agent was brought to a man who had by advice of counsel plead guilty to the crime of burglary, because some clothing—the proceeds of such a crime—were found on him. He proved to be a poor ignorant tailor and had been in this country but two years. By the hardest kind of work he was barely able to support his wife and five children. He had worked in one place only and was temporarily without employment. During this dull spell he was supporting the family by picking up such odd jobs as he could. He met a man who offered him 25 cents to carry a bundle of coats, and he accepted the offer. Before he reached the place where the man was to receive the goods, the bundle came loose. He stopped to get it into shape again and was engaged in refolding the rumpled garments, when a policeman arrested him. He protested his innocence in vain and was locked up. Investigation convinced the agent that his previous reputation was very good, and the policeman in the case admitted that a thief would hardly be so reckless as to expose stolen property in such a manner in the open street.

The judge suspended sentence and allowed the poor fellow to return to his family, who had been cared for by the Association *while the bread-winner was in prison.*

AN IMAGINARY MURDER.

A very small boy of seventeen was accused of assault in the first degree, a crime involving ten years imprisonment. He was said to have wilfully and maliciously shot at another boy, wounding him in the head. Investigation showed that the diminutive prisoner was employed as a "super" in a cheap theatre on the East side. During the progress of a melodrama having to do with the oppression of the Jews in Russia, the boy was to discharge a revolver. The complainant was watching the play through a hole in the wall of an adjoining house, behind the scenes. Unluckily he popped his head out of the hole just as the revolver was fired, and was struck, not by a bullet, but by the wad of the blank cartridge. With a cry of "I'm murdered," he fell out of his hiding place. The imaginary victim was not actually hurt and the prisoner was released on our recommendation.

A CASE OF RESTITUTION.

Two little girls in spotless white dresses were noticed by the agent walking round and round the marble halls of the criminal courts building. When asked why they were there, they led him to their mother, a sad faced middle-aged woman who was in despair because her husband was on trial for forgery. The woman was without means to employ a lawyer. The man was interrogated at the Tombs and his explanation of the case reduced to writing. He said he was a machinist 51 years of age, the father of six children, and had never been arrested before. He acknowledged having passed two checks on a saloon keeper whom he had known as a friend for sixteen years, but claimed to have received them in good faith in payment of a debt. He made no attempt to leave the neighborhood, though he had three days in which he might have done so, and part of the money was found on him when he was arrested. Three business men were found who were willing to certify that he had been a good mechanic and an honest man for twenty-five years. The complainant asked the court to be merciful and arrangements were made to have the money restored by installments.

On the recommendation of the Association, sentence was suspended, and the happy man left the court with one little girl in white on each side, while his wife, weeping tears of joy, came on behind.

RELIEF DEPARTMENT.

SUMMARY, 1904.

Discharged prisoners registered.....	1,324
Furnished tools to.....	73
Furnished transportation to.....	56
Number of days work given in building.....	940
Steady work obtained by.....	580
Garments given	1,340
Lodgings given	2,315
Meals	8,952
Books and magazines sent to prisoners.....	4,200

THE LATE BISHOP HUNTINGTON.

At a regular meeting of the executive committee of the Prison Association of New York, held March 16, 1905, the following resolution was unanimously adopted, and it was voted to communicate the same to the family of the late Bishop Huntington:

Right Reverend Frederick D. Huntington, born May 28, 1819, died July 11, 1904.

With grateful appreciation of his distinguished services in the cause of education and philanthropy, we, the members of the executive committee of the Prison Association of New York, wish to record our deep sense of loss in the death of the Rt. Rev. Frederick D. Huntington, who for twenty-one years was a vice-president of this association. Though his residence at Syracuse prevented him from sharing in the councils of this board, he found opportunities which he gladly embraced to show his interest in our work throughout the State. His distinguished name commanded public confidence, but he was not disposed to give to the Association merely the prestige of a well-earned reputation; *from time to time* voice and pen were freely given in its service.

His command of pure and forcible expression showed how deeply he had drunk from the "well of English undefiled." His sincerity of conviction and the moral weight of his character gave a great impetus to his personal or public appeal.

Bishop Huntington took a deep interest, not only in the welfare of the individual prisoner during his imprisonment and after his discharge, but in establishing our laws and institutions upon sound principles and infusing into them a just and humane spirit. His death was in the order of Providence the natural fulfillment of his rich and fruitful life. He was taken like a shock of corn fully ripe. But the same Providence which made so long and rich a life possible likewise provides for the continuance of its influence.

The records of this Association for more than 20 years will remain an unbroken memorial of his name and influence.

TREASURER'S REPORT.

FOR THE TWELVE MONTHS ENDING DECEMBER 31, 1904.

CURRENT FUND.

Balance in Mechanic National Bank.

January 1, 1904..... \$3,387 25

In corresponding secretary's hands... 17 79

\$3,405 04

Income:

Donations received, twelve months.... \$11,640 02

New York State Reformatory, twelve
months 1,200 00

Rents (135 East 15th street), twelve
months 656 00

13,496 02

\$16,901 06

Expenditures:

Expenses of agency in New York city
for discharged convicts, persons un-
der arrest and on probation in the
care of the Association..... \$9,663 10

Expenses of State organization, prison
and jail inspection and county work. 2,984 42

\$12,647 52

Balance on hand December 31, 1904:

In Mechanic National Bank..... \$4,212 97

In corresponding secretary's hands... 40 57

4,253 54

\$16,901 06

ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK. 129

STATEMENT OF THE RESERVE FUND.

Balance on hand at January 1, 1904.....	\$2,570 42
Interest received thereon from the New York Life Insurance and Trust Co. to December 31, 1904..	78 75
	<hr/>
Balance at credit of reserve fund, December 31, 1904,	\$2,649 17
	<hr/> <hr/>

J. SEELY WARD, JR.,
Treasurer.

We hereby certify that we have examined the books, accounts and vouchers of the Prison Association of New York for the fiscal year ending December 31, 1904, and that the above statement is correct in all respects.

TOWNSEND & DIX.

COUNTY COMMITTEES.

In order to secure proper attention to local conditions, and co-operation with reference to the general prison system of the State, the plan of organization of the Prison Association of New York involves the formation of a corresponding and cooperating committee in each county of the State. The persons in the following counties have accepted such positions and additional lists of members are in preparation:

Broome county.—Residence, Binghamton, Dr. J. G. Orton, H. M. Beecher, Austin S. Bump, D. H. Carver, Dr. J. M. Farrington, S. J. Hirshman, E. C. Tichener, William A. White.

Cattaraugus county.—Residence, Portville, Hon. W. B. Merse-
reau.

Cayuga county.—Residence, Auburn, Frank W. Richardson, Dr. Cheeseman, Prof. Arthur S. Hoyt, Mrs. Mary C. Beardsley, Frederick Sefton, M. D., Rev. E. W. Miller.

Chemung county.—Residence, Elmira, Z. R. Brockway, Rev. William T. Henry, W. C. Peebles, Mrs. J. H. Pierce, Hon. Charles R. Pratt, Thereon H. Wales, M. D.

Chenango county.—Residence, Norwich, Nelson P. Bonny, J. L. Ray, Rev. Daniel W. Dexter.

Clinton county.—Residence, Plattsburg, James Eckersley, W. C. Pike.

Delaware county.—Residence, Delhi, Andrew J. Nicol, James K. Penfield.

Erie county.—Residence, Buffalo, A. G. Sherman, George B. Bell, C. B. Armstrong.

Essex county.—Residence, Keene Centre, John Martin, Mrs. John Martin, Horace Nye, Mrs. Lillian Winch.

Genesee county.—Residence, Batavia, H. J. Burkhart.

Greene county.—Residence, Greenville, Chas. P. McCabe; resi-
dence, Catskill, J. I. Olney, Jeremiah Day.

Herkimer county.—Residence, Herkimer, O. H. Deck, M. D.

Jefferson county.—Residence, Watertown, J. C. Knowlton, Jesse M. Adams, Rev. Richard G. Keyes.

Livingston county.—Residence, Geneseo, Dr. John H. Milne; residence, Dansville, Dr. James H. Jackson, A. O. Bunnell.

Monroe county.—Residence, Rochester, William E. Sutherland, Judge Arthur E. Sutherland, Quincy Van Voorhis.

Montgomery county.—Residence, Fonda, W. Frothingham, J. C. Caton.

Oneida county.—Residence, Clinton, Rev. E. P. Powell.

Onondaga county.—Residence, Syracuse, A. B. Blodgett, J. C. Carson, Henry N. Hyde, Rev. E. W. Mundy.

Ontario county.—Residence, Canandaigua, Dr. C. T. Mitchell; residence, Seneca Castle, Levi Page.

Oswego county.—Residence, Oswego, C. H. Butler, Gilbert Molison.

St. Lawrence county.—Residence, Canton, Charles Caldwell, Worth Chamberlain, Mrs. D. L. Jackson, Dr. Payson, W. R. Remington; residence, Ogdensburg, Robert J. Donahue, Bishop Henry Gabriels.

Steuben county.—Residence, Atlanta, H. C. Hatch; residence, Hornellsville, B. F. Smith, M. F. Smith; residence, Hammondsport, Monroe Wheeler.

Wyoming county.—Residence, Warsaw, H. E. Gurney.

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Colorado.—William F. Slocum, Colorado Springs.

Connecticut.—John C. Taylor, Hartford.

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Washington.—John B. Catron, Walla Walla; Hon. Ernst Sister, Tacoma.

FOREIGN COUNTRIES.

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J. H. T. Jackson, Hamilton.

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A. Rivière, Secretary Société Générale des Prisons, 14 Place Dauphine, Paris; Mons. Robin (pasteur), 21 Rue Piatt, Belleville, Paris; Mons. Bonneville de Marsangy, No. 7 Rue Penthievre, Paris; Dr. Paul Ballière, 128 Boulevard Haussman, Paris; R. Bérenger, Vice President du Senat, 11 Rue Portalis, Paris.

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Peabody, George Foster.....	50 00
Pearsall, J. W.....	5 00
Pedersen, Dr. James.....	1 00
Penfold, Miss Josephine.....	10 00
Pentlarge, F.	2 50

Perkins, Goodwin & Co.....	\$5 00
Pettigrew, R. H.....	2 00
Pfizer, Miss Alice M. H.....	10 00
Pfizer, Chas.	25 00
Phipps, Miss Sarah M.....	15 00
Pillot, Miss Clara.....	15 00
Pinchot, Amos R. E.....	5 00
Pinkerton, Robert A.....	10 00
Planten, John R.....	10 00
Plant, Albert	10 00
Plunkitt, Hon. Geo. W.....	10 00
Polk, Mrs. Wm. M.....	5 00
Pope, Miss Elizabeth A.....	3 00
Post, A. S.....	10 00
Post, James H.....	25 00
Potter, Martha	20 00
Potter, Mrs. R. Burnside.....	5 00
Pouch, F. E.....	5 00
Powers, Mrs. Jennie Turner.....	5 00
Prime, Miss Mary R.....	10 00
Putnam's, G. P., Sons.....	10 00
Quattlander, Rev. Paul.....	2 00
Rand, Rev. Wm. W.....	2 00
Raymond, Charles H.....	25 00
Raymond, R. W.....	10 00
Record, Nelson B.....	10 00
Rhineland, Miss Serena.....	200 00
Rhoades, Miss J. H.....	5 00
Richard, Auguste	50 00
Righter, J. H.....	10 00
Riker, Samuel	10 00
Ripley, Mrs. Louis A.....	10 00
Rives, Geo. L.....	20 00
Robb, Hon. J. Hampden.....	15 00
Robbins, Mrs. Milton.....	50 00
Robbins, Mrs. W. H.....	5 00
Roberts, John E.....	10 00
Roberts, Mrs. M. L.....	5 00
Robinson, Mrs. Thomas D.....	5 00

Start, Miss Mary.....	\$5 00
Steele, Charles	10 00
Stein, A.	10 00
Stein, Miss Helen A.....	5 00
Steindler, Edward	25 00
Steinway, Mrs. Frederick T.....	5 00
Stern, Benjamin	10 00
Stetson, Mrs. F. L.....	25 00
Stettheimer, Miss Etta.....	1 00
Stevens, Mrs. Byam K.....	10 00
Stevens, Miss J. L.....	5 00
Stewart, Hon. W. R.....	10 00
Stewart, Wm. W.....	10 00
Stillman, Miss Charlotte R.....	100 00
Stimson, Mrs. H. C.....	5 00
Stine, J. R. & Co.....	10 00
Stires, Rev. Ernest M., D. D.....	10 00
Stoiber, Louis	10 00
Stokes, Anson Phelps.....	10 00
Stokes, James B.....	10 00
Stokes, J. G. Phelps.....	50 00
Stone, Miss Annie.....	10 00
Stone, Mason A.....	5 00
Stuyvesant, Rutherford	10 00
Sullivan, Isabella	10 00
Sumner, Miss Sarah F.....	5 00
Suzarte & Whitney.....	10 00
Tappin, J. C.....	10 00
Tatlock, John	5 00
Taylor, Rev. Matthew A.....	10 00
Thacher, Thomas	10 00
Thaw, Edward	20 00
Thomas, Mrs. T. G.....	5 00
Thompson, Mrs. Fred'k F.....	25 00
Thomson, John W.....	10 00
Thorne, Edwin	10 00
Thorne, Jonathan	25 00
Thorne, Samuel	10 00
Thorne, W. V. S.....	5 00

Tiemann, D. F. & Co.....	\$10 00
Tiffany & Co.....	20 00
Timpson, Mrs. James M.....	10 00
Todd, Mrs. Henry A.....	3 00
Tomkins, Calvin	5 00
Tompkins, Mrs. M. W.....	25 00
Trotter, William	10 00
Trowbridge, Miss Julia A.....	5 00
Tuckerman, Alfred	10 00
Turnbull, Mrs. Ramsey.....	5 00
Turton, Geo. L.....	5 00
Twitchell, Herbert K.....	2 00
Ughetta, Henry L.....	5 00
Uhlmann, Frederick	10 00
Ullman, E. S.....	10 00
Ulman, Ludwig	5 00
Unity Congregational Society.....	20 00
Unz & Co.....	5 00
Upham, Mrs. Elizabeth K.....	10 00
Van Beuren, Frederick T.....	15 00
Vanderbilt, John L.....	3 00
Vanderpoel, Mrs. John A.....	5 00
Vanderveer, Miss E. F.....	3 00
Van Ingen, Mrs. E. H.....	10 00
Van Rensselaer, Killiaen.....	5 00
Van Santvoord, Miss A. T.....	10 00
Van Sinderen, Wm. L.....	10 00
Van Winkle, Miss M. D.....	50 00
Van Winkle, A.....	5 00
Vermilye & Co.....	10 00
Vernon, Harold	1 00
Villard, Mrs. Henry.....	25 00
Villard, Oswald Garrison.....	10 00
W. K. H.....	10 00
Wadsworth, C. S.....	10 00
Waller, Miss Anna.....	2 00
Wanamaker, John	10 00
Warburg, F. M.....	25 00
Warburg, Paul M.....	25 00

Ward, Miss M. M.....	\$10 00
Ward, John Seely, Jr.....	50 00
Wardwell, W. T.....	10 00
Washburn Wm. Ives.....	5 00
Waterman, F. N.....	15 00
Watrous, Mrs. Chas.....	5 00
Watson, Rev. J. H.....	10 00
Welling, W. B.....	5 00
Wells, Henry C.....	5 00
Wells, Miss Julia Chester.....	10 00
Weston, Edward	50 00
Wetmore, Dr. J. McE.....	10 00
Wheeler, Miss Emily M.....	10 00
Wheeler, F. Merriam.....	5 00
Wheeler, Miss Marianna.....	5 00
Wheelock, Adeline C.....	1 00
Wheelock, Dr. Geo. G.....	10 00
Whitcomb, P. R.....	10 00
White, Alfred T.....	10 00
White, Miss Caroline.....	10 00
White, Mrs. Joseph M.....	100 00
White, Miss Mary.....	2 00
White, Violetta S.....	25 00
White, William A.....	10 00
Whitehead, A. Pennington.....	5 00
Whitehouse, Mrs. J. H.....	10 00
Whitlock, Mrs. D. B.....	10 00
Wicke, William	10 00
Wiggins, T. C., M. D.....	10 00
Wilkinson Bros. & Co.....	5 00
Willcox, William G.....	5 00
Willets, John T.....	15 00
Williams, Frank D.....	5 00
Williams, Mrs. Georgiana P.....	5 00
Williamson, Mrs. D. D.....	5 00
Willis, W. P. & Co.....	25 00
Wills, Chas. T.....	5 00
Winkhaus, Mrs. A. C.....	5 00
Winthrop, Egerton L.....	25 00

PRISON ASSOCIATION OF NEW YORK.

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Winthrop, Mrs. Grenville.....	\$25 00
Winthrop, Miss Marie.....	25 00
Wintringham, Sidney	25 00
Wisner, Charles	10 00
Wisner, Miss Josephine.....	10 00
Witherbee, Mrs. F. S.....	15 00
Witherell, Mrs. Nathaniel.....	25 00
Woerishoffer, Mrs. Anna.....	25 00
Wolff, Lewis S.....	10 00
Wood, Orrin S.....	10 00
Woodford, Franklin E.....	2 00
Wormser, Mrs. Isidor.....	10 00
Wray, Miss Julia.....	10 00
Wurzbarger, Adolph	5 00
Yeaman, George H.....	5 00
Young, Mrs. E. S.....	2 00
Zimmerman, Mrs. M. E.....	10 00

DONATIONS OF CLOTHING READING MATTER, ETC.

Armstrong, Mrs.	Grindell, A. B.
Atterbury, Rev. W. W.	Gruening, P.
Barnes, Herbert S.	Hadden, Mrs. H. F.
Barry, Mrs.	Hathaway, James R.
Bayne, Miss S. L.	Hays, Mrs. G. D.
Blackwood, I. A.	Heckscher, John G.
Bogert, E. C.	Henle, Mrs. John.
Bogert, Mrs. S. G.	Hernsheim, Mrs. Joseph.
Bondy, Miss.	Hirschbach, William.
Bowers, Mr.	Horton, Mrs. C. E.
Bristol, Dr. E. L. M.	Hospital, Book and Newspaper Society.
Brown, Mrs. Harmon.	Howell, William P.
Brownold, C., Jr.	Howes, Dr.
Byers, Mrs. Joseph J.	Howson, Mrs.
Cady, Mrs. J. C.	Ilgen, E.
Cockcroft, Miss Mary T.	Jackson, Mrs. George T.
Coggill, Mrs. H.	Jacobi, Mrs. F.
Collier, P. F.	Jacobs, Mrs. E.
Dean, Mrs. B.	Jacquelin, Mrs. John H.
Draper, Mrs. Henry.	Kahn, Herbert C.
Dreyfoos, Mrs. J. F.	Keugh, Mrs. M. T.
Dudley, J. L.	King, A. E.
Duncan, F. M.	Klein, Mrs. W. M.
East Side Fruit & Flower Mis- sion.	Korn, W.
Elgen, A.	Kramer, Joseph.
Emerson, J. H., M. D.	Kroeber, Mrs. F.
Emery, Mrs. John J.	Kunhardt, W. B.
Fessenden, Miss E. C.	Kurzman, S. P.
Frank, Mrs. L. E.	Lawson, Mrs. R.
Fuller, Mrs. G. A.	LeBoutillier, Thos.
Gardner, Mrs. A. W.	LeBoutillier, Dr. W. G.
Gerrish, Mrs. M. L.	Lefferts, F. R.
Gilbert, George N.	Leland, Mr.
Glendenning, J.	Levin, Wilhelm, M. D.
Goan, Mrs. Orrin S.	Lewis, W. B.
Gordon, F. P.	Liebman, J.
Gorse, Mrs. James C.	Lilienthal, Mrs. Albert.
Greenough, Mrs. John B.	Lillie, George M.
	Livingston, W. H.

Lockwood, Mrs. I. F.	Schaefer, Mr.
Loeser, Mrs. G.	Sergeant, Mrs. J. E.
Loines, Mrs. Mary H.	Serre, J. E.
Lydig, David.	Sperry, Mrs. H. M.
McKibbin, Gilbert H.	Sterrett, M. G.
Merrill, Edward B.	Stix, Mrs. S. L.
Meyer, Chas. B.	Strowbridge, Mrs. G. E.
Miller, Mrs. A.	Sturgis, Mrs. Frederic R.
Morris, Mrs. S. F.	Sugden, Eben.
Needlework Guild of America.	Thompson, Mrs. M. K.
Neu, Mr.	Tousey, E. A.
Opdyke, Mrs. Emerson.	Tuck, Dr. Henry.
Oppenheimer, Mrs.	Van Name, W. E.
Pies, Williams.	Van Ness, Mrs. Mary L.
Pegram, Mrs.	Vogel, William & Son.
Peyser, Eugene P.	Waldeck, Mrs. H.
Polk, Mrs. F. L.	Wilson, George H.
Post, H. S.	Wolf, Mrs. A.
Prentice, Mrs. Henry.	Women's Alliance of the Lenox
Rogers, Peet & Co.	Avenue Unitarian Church.
Rowland, T. A.	Worcester, Mrs. Edwin D.
Sahler, A. F.	Wyckoff, C. P.
Saxton, B. F.	Zabriskie, Andrew C.

APPENDIX.

CHARTER OF THE PRISON ASSOCIATION OF NEW YORK.

AN ACT to incorporate the Prison Association of New York.
Passed, May 9, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of *prisoners*, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex-officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents, shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a

life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of \$50 shall constitute a member of the association for life. Honorary and corresponding members may, from time to time be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they

shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK :

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER,

President.

*See section 24

BY-LAWS

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

IV. The order of business at every other stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

V. The chairman shall appoint all standing and special committees and decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty

to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

VII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; and shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

VIII. The treasurer shall have charge of the funds of the association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.

IX. There shall be six standing committees, namely, on finance, detentions, discharged convicts, law, house, and library.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the association shall be divided into three parts to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the association, and all legacies.

The Reserve Fund.—The reserve fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe keeping of the sureties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of *the association*, subject to check of the treasurer, and shall, when-

ever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.—The term "general fund" shall cover all receipts of the association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary immediately on receipt by him of any sum for the account of the association that such receipt may be entered at once to the credit of the proper account on the books of the association.

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association all receipts for payments by him for the association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and then deposited in such bank as directed by the treasurer to the credit of the association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make at the annual meeting of the association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

XII. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best

adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature including pending bills and report their views and conclusions upon them; also to care for the law business of the association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

XVII. The president, chairman of the executive committee, and corresponding secretary shall be members, ex-officio, of all the standing committees.

XVIII. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

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THE ASSOCIATION OF NEW YORK

OF

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OF THE CITY OF NEW YORK

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FIFTY-EIGHTH ANNUAL REPORT

OF THE

Prison Association of New York

For the Year 1902.

OFFICE OF THE ASSOCIATION,

135 EAST FIFTEENTH STREET, NEW YORK CITY.

TRANSMITTED TO THE LEGISLATURE JANUARY 20, 1903.

ALBANY:

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1903.

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No. 36.

IN SENATE,

January 20, 1903.

Fifty-Eighth Annual Report
OF THE
PRISON ASSOCIATION OF NEW YORK
FOR THE YEAR 1902.

THE PRISON ASSOCIATION OF NEW YORK:

135 EAST 15TH STREET, NEW YORK CITY,

January 20, 1903.

HON. FRANK W. HIGGINS, *Lieutenant-Governor, New York:*

SIR.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present herewith the fifty-eighth annual report of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

Respectfully yours,

CHARLTON T. LEWIS,

President.

SAMUEL J. BARROWS,

Corresponding Secretary.

Prison Association of New York 5-19-059.

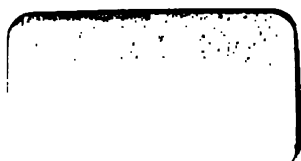


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Mornay Williams.

REPORT OF THE EXECUTIVE COMMITTEE.

To the Honorable, the Legislature of the State of New York:

The State of New York may well be congratulated upon progressive improvements in its methods of dealing with crime, such that it stands, in this respect, in the rank of the most enlightened States of the Union. Its recognition of the vital principle of the indeterminate sentence and the development of a reformatory system fruitful in results are alone sufficient to give New York a distinguished place in the annals of civic progress. These and other reforms have been brought about, however, not through cherishing an easy spirit of self-contentment, but by the constant application of enlightened criticism and a persistent determination, through better methods and better administration, to secure better results. It is only by the wise development and direction of public sentiment, and its expression in the making and administration of well-considered laws that the State of New York can maintain the honorable position it holds.

ABOLITION OF THE FEE SYSTEM

It is curious, however, to find still lurking in law and practice in the State of New York the remnants of a vicious system which existed in England when John Howard undertook his beneficent work more than a hundred years ago, and the evils of which were potent in rousing him to his memorable exertion for prison reform. We refer to the unfortunate survival of the fee system by which sheriffs in counties of New York are

allowed to make a profit from the prisoners who are committed to their custody. It is a system open to such flagrant abuses, of which the prisoner and the community may both be the victims, that it is a matter of surprise that it has not long since been swept out of existence. No argument for its continuance can be found stronger than that of local tradition and unbroken heritage. The apologies which may be made for making prisoners means of revenue to the State as some reimbursement for the cost of crime, do not apply to a system which makes them a source of private revenue for a public officer. We have no reason to suppose that the system is worse administered in New York State than elsewhere. But on the other hand, there are no safeguards around the system here against its inherent evils. These evils are so great and so obnoxious that an enlightened and progressive community ought long since to have made them impossible. One of the most conspicuous objections to the system is the purely economic one. It has been often demonstrated that prisoners can be kept more economically by paying the exact cost of their subsistence with a moderate salary for keepers than at the usual per capita and per diem rates paid to the sheriffs. But even where the cost to the community is not greater, experience shows that the community on the whole has more prisoners to support under the fee system than it does under the salary system. Without imputing wrong to any individual citizen in office, it is evident that when judges and sheriffs are elected, and subject to partisan influence, combinations for mutual advantage are possible. The power of suspending sentence has been wisely conferred upon judges of New York State and prudently and honorably exercised by them. But it is not difficult to imagine some pressure upon a judge to sentence a

man to jail where he may be a source of revenue to a friendly sheriff, instead of releasing him on probation. The decrease in the prison population in some of our large cities can be traced very directly to the abolition of the fee system. The same consideration as to the self-interest of the sheriff may tend to induce the committal of a prisoner to a jail where he remains in idleness, instead of sending him to a penitentiary where he might be profitably employed.

Still more important is the moral and humane consideration. The question of what is the best disposition to be made of a prisoner, whether to release him on probation or to commit him to a correctional institution, should not be complicated with the question of the support of a public official whose interest it is to increase the population of the jail. Looking back for generations we find many instances in which the fee system, in the hands of selfish and unprincipled men, has been a source of persistent and flagrant abuses. In several countries its entire abolition has been regarded as a first step in prison reform.

Various counties in the State have already recognized the economical and moral advantage of changing from the fee to the salary system in the custody of prisoners. No time ought to be lost in making this change imperative throughout the State. We urge the passage of a general law for this purpose.

CONSTRUCTION OF JAILS.

The important matter of jail construction, both with reference to physical and moral influences, has engaged the attention of the Association during the past year, and steps have been taken to enlist in it the interest of architects and jail builders. In certain important respects it is evident that architects,

builders and keepers are not conforming to the wise requirements of existing laws. The laws of New York (chapter 18 of the General Laws, article 5, page 839, Revised Statutes of New York, Birdseye, 3d edition) require "that all persons confined in a county jail shall as far as practicable be kept separate from each other; and that prisoners committed to jail under sentence shall 'be constantly employed at hard labor when practicable during every day except Sunday.'" Keepers are, however, often powerless to carry out this law, because the construction of their jails renders it impossible. Even in the newer jails separate cells are so constructed that communication from cell to cell is easily effected, and prisoners are thrown together in the exercise corridor and promiscuous intercourse is promoted. Still more serious is the total lack of provision in the structure of jails for the labor which the law requires of prisoners. The cells are made so small that separate cellular labor is impossible, and there are no shops or workrooms for labor in common. The only alternative is labor out of doors. But in some jails there is no jail yard for exercise or labor, and, except in the few instances in which labor is found on the public roads, prisoners are therefore condemned to idleness.

Although much improvement has been effected in the plumbing and sanitary arrangements of prisons and jails, the light that in recent years has been thrown on tuberculosis renders important increased attention to every hygienic consideration in the construction of such buildings. Our jails through lack of sunlight and ventilation and through the promiscuous association of their inmates have been prolific in contagion. If the individual history of prisoners now confined at Dannemora were taken, it would be found that many first acquired the terrible

disease in county jails. In all future construction steps should be taken to invoke expert medical authority as to the best means of securing prophylactic and hygienic conditions.

JAILS AND PLACES OF DETENTION.

The laws of the State require the separation of persons awaiting trial from those under sentence. While the separation is technically made, there is so little difference in the treatment of accused persons and those under sentence that there is no exaggeration in saying that the punishment of persons under arrest begins immediately upon their commitment to jail. Under the law accused persons are presumably innocent until proved guilty; in too many of our jails prisoners are treated as guilty until proved to be innocent. The quarters assigned to them do not differ essentially from those assigned to sentenced prisoners, and they have no opportunity for exercising in the open air. When the facilities for exercise, labor and libraries at penitentiaries are considered, it is evident that the lot of the sentenced men in the penitentiary may be far better than that of an innocent person in a jail.

It would be a great step in advance in the penal administration of the State if a sharper distinction were made between the treatment of the prisoner during the period of detention and the period of correction. Jails should simply be used as places of detention for those awaiting trial. They should be constructed accordingly, namely, with simplicity, security, and with abundant provision for light, air and exercise. The separate system should be applied, as it prevents both physical and moral contagion, and secures the only classification which is desirable for those awaiting trial, one which is purely individual.

All sentenced prisoners should be immediately committed to correctional institutions under control of the State where they can be classified with reference to corrigibility and industrial capacity.

LABOR IN JAILS.

Until some radical change is affected, every effort ought to be made to provide labor for prisoners sentenced to jail. The idleness of the jail population is a persistent and lamentable evil. In spite of the lack of facilities owing to defective buildings, there are few places where existing conditions could not be mitigated by the introduction of some form of industry in the jails or by working prisoners out of doors. The first cost to taxpayers of remanding prisoners to idleness is sufficiently great; but it is greatly enhanced by the fact that prisoners are turned into habitual vagabonds and criminals by enforced idleness. While it may sometimes be difficult to fix the degree of responsibility of the prisoner, it is not difficult to determine the responsibility of the State towards those forcibly deprived of their liberty. To deliberately create and continue conditions of idleness for those who need the spur, the discipline and the training which come from persistent industry is for the State to blindly punish itself under the assumption that it is punishing the prisoner.

TREATMENT OF MISDEMEANANTS.

The distinction made between felons and misdemeanants is an attempt to distinguish the gravity of offenses, but it has proved to be of little value in determining the relative degree of danger to the State from different offenders. In point of character and capacity for inflicting injury upon the community, the misdemeanor is often more dangerous than the felon. The difference

between him and the felon is too frequently a purely technical one, founded upon some arbitrary and theoretical distinction in the law as to the relative harmfulness of offenses. Under such distinctions the misdemeanor as well as society itself becomes a victim of the short sentence repeatedly imposed for the same offense. While felons between the ages of sixteen and thirty may be submitted to a correctional regime, a great number of misdemeanants are committed to jails or institutions where there is no correctional influence whatever. The ranks of felons are thus rapidly recruited from misdemeanants or under the repeated infliction of the short sentence the latter become habitual offenders of the misdemeanor class. The problem of dealing with misdemeanants has been much neglected from the assumption that offenses in that grade are of minor importance. Our provisions for dealing with them are totally inadequate. The most important reforms in the domain of penology now relate to the treatment of this class. It is not difficult to discover the principles which should control such treatment. A purely punitive system has proved an utter failure. A corrective system would impose new conditions, introduce new influences and secure new results. In such a system probation, the indeterminate sentence and reformatory institutions are all essential elements. It is less dangerous in almost all cases to put a first offender on probation than to send him to jail for a short sentence, especially under the influences which now prevail in jail life. But when probation proves of no avail, then the misdemeanor should be sent under an indeterminate sentence to a reformatory institution. The adoption of such a method would result in a great reduction of the number of those who are now hopelessly assigned to the incorrigible class. The early establishment of a reformatory for misdemeanants would be a measure of rational economy.

NAPANOCH.

In this connection we call attention to the failure of the State to make use of resources already at hand. The prison at Napanoch is an illustration. It bears the title of the Eastern Reformatory, but it is a reformatory only in name. It is without shops for productive and educative labor, it has no system of graded schools sufficient for a reformatory, and its discipline is inadequate. While Elmira is overcrowded, half the cells at Napanoch are empty. Prisoners sent from Elmira are those who have been found to be less amenable to reformatory treatment. Napanoch is at present but little more than a place of detention for such prisoners.

The State has already spent a large sum of money on this prison. To realize on the investment made, it should go further and make this prison a reformatory in fact instead of in name. When thoroughly equipped for this purpose the law should be so modified as to permit misdemeanants as well as felons to be committed to this institution, as is done in the case of women misdemeanants committed to reformatories for women.

PENAL INSTITUTIONS IN NEW YORK CITY.

Further legislation, though of a very simple character is needed for the penal system of Greater New York. Under the present charter some of the penal institutions of that territory are under the Department of Correction, others have been left out of its jurisdiction. In Manhattan and in Bronx all prisoners held for criminal offenses both those awaiting trial and those under sentence, are committed to institutions under the Department of Correction. The Juvenile Court and under the administration of the sheriff were committed to the City Prison and the City House of Detention. In the territory of Westchester, while

the penitentiary is under the Department of Correction, the jail is under the administration of the sheriff. In each of the boroughs of Richmond and Queens there is but a single penal institution, the jail, which in each of these boroughs is under the sheriff. The situation would be less anomalous if only those awaiting trial were confined in the jails; but in each of the boroughs named, many persons are confined in the jails for terms of imprisonment. Twelve thousand seven hundred and seventy men were sentenced to the Raymond street jail in Brooklyn last year for varying periods. Taking the average sentence of ten days, this represents a total period of at least 127,700 days of idleness. With the exception of a few men utilized in keeping the prison clean, this army of prisoners did not work. The per capita cost of feeding them was 13½ cents a day. Admitting all the difficulties in the employment of short sentenced prisoners, hardly a man among them would not have been able under properly organized industries to earn at least the 13½ cents a day necessary for his food. The condition of these prisoners, some of them sentenced for periods of six months, and even for a year, and remanded to total idleness, contrasts sadly with the condition of those sentenced to Kings County Penitentiary in the same borough, where opportunities for labor are provided. It is the conviction of your committee that no prisoners under sentence should be confined in idleness. To remove the difficulties of the situation in New York in this respect, we urge a change in the charter requiring that all prisoners sentenced for misdemeanors, with the exception of females and of minors under sixteen, committed to a reformatory institution, shall be sentenced to prisons under the jurisdiction of the Department of Correction. The adoption of this law will leave in the borough jails only those awaiting trial.

The importance of this change appears when the question of building new jails in the boroughs of Brooklyn and Richmond is considered. The woman's jail in Kings county, and the Richmond county jail have long since been condemned by this Association. The proposition to build a new woman's jail in Brooklyn, and also a jail in the borough of Richmond, has recently been brought before the Board of Estimate and Apportionment of New York. It is estimated that a new jail for women in Brooklyn would cost \$150,000, and a new jail in Staten Island, \$80,000, if these institutions were used for sentenced prisoners, a total of \$230,000. The Association has presented to the Board of Estimate and Apportionment, facts and figures showing that all the sentenced prisoners now committed to these institutions can be amply accommodated in prisons under the jurisdiction of the Department of Correction, where they may be properly employed. It is therefore unnecessary to build new institutions in these boroughs for sentenced prisoners. All that is necessary is to make provision for those awaiting trial. On Staten Island a new building will be necessary for this purpose, but it can be erected at much less expense, owing to the limited accommodations required. In Brooklyn it is possible to use Kings County Penitentiary as a jail for women. It is within the powers of the commissioners of the sinking fund to designate it as a jail for that purpose. During the last year under a similar arrangement, effected by Commissioner Hynes and Sheriff Dyke, women prisoners awaiting trial have been so committed.

We submit a bill prepared by the law committee of this Association embodying the proposed changes in the charter.

Should further accommodations be needed for sentenced prisoners, the subject should be considered with reference to the

institutions of the Department of Corrections as a whole, and the industrial distribution of prisoners. The decision would be modified by the policy of the Department. At any rate the question should be treated as one of the problems of Greater New York, and not purely as a local problem of separate boroughs, based on conditions before consolidation.

WOMEN PROBATION OFFICERS.

Under the existing probation law, judges may secure the services of police officers who may be assigned to probation work without additional compensation. Advantage cannot be taken of this provision to obtain women probation officers, since they are not members of the police force or of any allied branch of the public service from which they could be transferred. The courts are, therefore, entirely dependent on volunteer service for women probation officers. In the borough of Brooklyn a woman probation officer has for some time been sustained by the Brooklyn City Mission; another is supported by the Society of St. Vincent de Paul. At the invitation of this Association the Women's Clubs of Brooklyn, after a careful consideration of the question, have pledged the support of another much-needed woman officer. It has been justly urged, however, by some of the supporting societies that, as under the present law policemen may earn their salaries by doing probation work, the salaries of woman officers who do similar work, should likewise be authorized by the State. Experience shows that there is no more economical expenditure for the State than that necessary to sustain a probation system, which lowers the population in the jails and prisons, and, what is more important, saves the first offender from becoming a "rounder." We, therefore, sug-

gest that the laws be so amended as to permit women probation officers to receive such salaries as may be determined by city or county authorities charged with fixing the salaries of public employees.

EXTENDING PAROLE LAW.

The experience of the Association covering a long period of years in dealing with men on parole enables it to speak with confidence as to the wisdom of extending the parole law.

The success of the parole system in many cases depends largely upon the educative and moral influences which have been brought to bear upon the subject of it during his confinement. It depends partly upon the judgment of the parole board and also upon the wisdom and vigilance of supervision when on parole. The extension of the parole law to a certain class of prisoners in State prisons has been justified by results. The limitation of the law, however, to cases in which the maximum sentence could not be more than five years, greatly restricts the scope and benefit of the law. This limitation in the law is entirely arbitrary. Prisoners sentenced for ten years or more may be as desirable subjects for conditional release as those sentenced for five years and under. We therefore recommend that the scope of the law be made general.

TREATMENT OF IDIOTS.

Instances of idiots who have been tried and sentenced to punishment are not infrequently brought to the attention of this Association. Several such cases have been committed to Elmira Reformatory. In one instance a young man paroled from that institution in the custody of this Association was found on expert examination to be a congenital idiot. It is the duty of the managing board to transfer such cases, but where shall they

be sent? At present some of them have been transferred to Napanoch. Such cases come under a different category from that of the criminal insane, but it would seem that the vigilance which is exerted in protecting the criminal insane in the courts should be extended more fully to the feeble minded. A strict physiological and psychological examination would show that many now treated as subjects of punishment are feeble minded and need the education or custodial care properly accorded to this unfortunate class.

CARE OF CONSUMPTIVES.

The Association congratulates the State upon what has already been done at Dannemora for the treatment of prisoners infected with tuberculosis. The remarkable success already achieved through the efforts of Dr. Ransom more than justifies the relatively small expenditure at which it has been secured. The establishment of a seclusion ward and the provisions for out of door treatment are in line with the latest modern methods of knowledge. As the State owns an abundance of land in that vicinity it is practicable to erect without great expense a special building, apart from the prison, for the treatment of this class of patients. The additional accommodations required ought to be promptly furnished.

One of the most important lessons to be derived from the study of cases at Dannemora is the fact already alluded to, that tuberculosis is engendered, developed and communicated in the county jails of the State. Sing Sing and Auburn are also responsible for contributions to the number of such unfortunates. This fact emphasizes the need of better construction and administration of county jails and of the separation of prisoners while in jail.

SING SING.

The enlarging of the windows at Sing Sing prison as far as completed has removed some of the traditional gloom of that institution. No time ought to be lost, however, in securing a new cell building. Sing Sing is notorious as a breeding place for tuberculosis. While we appreciate and in the preceding paragraph have commended the wisdom of the State in establishing special quarters at Dannemora for prisoners afflicted with tuberculosis, it is equally evident that it is neither economical nor humane for the State to maintain a nest of tuberculosis like Sing Sing prison. The condemnation of this building by the Board of Health ought alone to be sufficient to secure its speedy reconstruction or removal.

HOSPITALS FOR INSANE CRIMINALS.

We congratulate the State upon the erection of the administration building for insane criminals at Dannemora. The work, under the personal supervision of Dr. Lamb, has been done with satisfactory economy. New York is now better equipped than any State in the Union with asylums for those who before or after sentence for crime have proved to be insane, but further construction is needed to meet the present and future demands of this institution.

STATE PRISON INDUSTRIES.

We also congratulate the State upon the great improvement in the prison industries of the State. The State Superintendent of Prisons, Hon. Cornelius V. Collins, has shown his strong grasp of the subject, and his desire to make the most of the opportunities left for prison labor under the limitations imposed by the Constitution. If the system of production for State use

can be carried out to its utmost extent without interference from mistaken agitators, all State prisoners can be effectively employed in educative and productive labor. The success of State prison industries when properly organized furnishes a strong argument for the acquisition of the penitentiaries by the State so that they may all be included in the scheme of organized prison industry.

On behalf of the executive committee.

CHARLTON T. LEWIS,

Chairman.

REPORT OF THE CORRESPONDING SECRETARY.

The opening of the year 1902 was marked by a change in the administration of the penal institutions of New York city. Mr. Thomas W. Hynes was appointed by the mayor as commissioner of correction. The corresponding secretary took an early opportunity in company with Mr. Alexander M. Hadden to call on Mr. Hynes at his office and to assure him of the support of the Association in any efforts he might make towards the improvement of the prison system of New York. The representatives of the Association were received very cordially, and Mr. Hynes expressed himself as happy to have the confidence and co-operation of this society. The pleasant relations thus established have been continued throughout the year. The commissioner has furnished every facility to representatives of the Association and has sought counsel and co-operation as to administrative and legislative matters affecting his department.

The suggestion made in our first visit that the completion of the New Tombs would undoubtedly demand early attention was met with a cordial assurance that the commissioner at the outset of his work had recognized the importance of giving immediate attention to this subject. This intention was energetically carried out and in spite of multiplied hindrances and difficulties the building was finally brought to completion, and opened for the reception of prisoners.

In the course of the year the corresponding secretary has had conferences with Hon. Lispenard B. Stewart, President of the Commission of Prisons, Hon. George McLaughlin, secretary of the commission, and Hon. Cornelius V. Collins, State superintendent of prisons, with reference to the prison system of our State; with Mr. Charles H. Beckett, for some time president of the board of managers of the Elmira Reformatory, and Mr. Henry Solomon, one of the managers of that institution.

REMOVAL OF BOYS FROM THE WORKHOUSE.

Last year a special inspection was made by the committee on detentions in regard to the commitment of boys to Blackwell's Island. Attention was called to their unfortunate condition when committed to the workhouse, where they were separated from all influences for good, associated with older offenders than themselves, and kept in idleness and without instruction, and on their charge from confinement would have received absolutely nothing except additional opportunities for learning the ways of crime. The committee believed that a better disposition might be made of these cases by the magistrates by putting them on probation or by committing them to the House of Refuge. But in case it was found necessary to send boys over eighteen years to the workhouse, the committee suggested the need of providing schools and adequate employment for those thus sentenced.

It is gratifying to note that this subject received attention from two sources: from the Board of City Magistrates in their annual report, and also from the Commissioner of Correction, Mr. Hynes. In their report, drawn by the chairman, Judge Deuel, the city magistrates called attention to the necessity of a reform school or reformatory for males between the ages of sixteen and twenty-one. The proposition was somewhat similar to that made by the State Commission of Prisons for a reformatory for misdemeanants. A communication from Judge Deuel to the corresponding secretary called attention to this subject and invited the coöperation of the Association.

Meanwhile the Commissioner of Correction, Mr. Hynes, had recognized the necessity of taking immediate steps to provide better conditions for the boys committed to the workhouse. He proposed to take advantage of section 698 of the charter of New York, the language of which is as follows:

"It shall be the duty of the commissioner to cause all the criminals and misdemeanants under his charge to be classified as far as practicable, so that youthful and less hardened offenders shall not be rendered more depraved by the association with an evil example of older and more hardened offenders. The commissioner may establish and maintain such schools

or classes for the instruction of the inmates of the institutions under his charge, as may be authorized by the board of estimate and apportionment. And to this end the commissioner may set apart one of the penal institutions for the custody of such youthful and less hardened offenders, and said commissioner shall have the power, in his discretion, to transfer such offenders thereto from any other of the penal institutions of the city."

At a meeting of the Committee on Detentions held February 19th, at the office of the Association, Judge Deuel and Commissioner Hynes were present by invitation. While the subject of an additional reformatory was regarded as a matter for future legislation it was deemed best to take advantage of every provision of existing laws to mitigate the condition of boys in the workhouse at Blackwell's Island. Commissioner Hynes stated that he had already begun to fit up buildings at Hart's Island for the accommodation of juvenile offenders and that he was planning schools for them and, to a limited extent, industrial education. Judge Deuel emphasized the importance of having this educational work conducted under the auspices of the Department of Correction, and not made contingent upon volunteer effort. The conference resulted in a cordial agreement as to the best lines to be pursued.

Subsequently the corresponding secretary, in behalf of the Committee on Detentions wrote the following letter to the Commissioner of Correction in support of an appeal to the Board of Estimate and Apportionment.

February 20, 1902.

MR. THOMAS W. HYNES, *Commissioner of Correction, 148 East 20th street, New York City:*

DEAR SIR.—The Committee on Detentions of the Prison Association of New York, in an inspection of the workhouse on Blackwell's Island, made May 2, 1901, were greatly impressed with the need of some better provision in the way of schooling and employment for the boys ranging from 16 to 21 years of age, committed by the city magistrates to the institution. These boys, kept in idleness and without instruction, receive

absolutely nothing during their confinement except additional opportunities for learning the ways of crime. .

The committee learn with great satisfaction that on assuming the office of Commissioner you have promptly given attention to this matter and that you propose to avail yourself of the authority of section 698 of the charter, which distinctly provides for the separation of youthful and less hardened offenders from the more depraved. The same section also authorizes the Commissioner to establish and maintain such school or classes for the instruction and training of the inmates of the institutions under his charge as may be authorized by the Board of Estimate and Apportionment.

Our committee earnestly express the hope that you will appeal to the Board of Estimate and Control for the necessary appropriation to establish and equip an adequate school. While a certain amount of help may be secured from zealous unpaid volunteers, it is evident that the regular and sustained work of the instruction, industrial and otherwise, cannot be left to the contingencies of volunteer effort. It should be a necessary part of the prison discipline and regime.

Wishing you success in your laudable efforts to improve the conditions of these young offenders and hoping that the Board of Estimate and Apportionment will promptly grant the necessary appropriation to carry out the provisions of section 698, I remain, my dear sir, on behalf of the Committee,

Yours sincerely,

(Signed.) S. J. BARROWS.

To this communication the following reply was received:

HON. S. J. BARROWS, *Secretary, Prison Association of New York:*

DEAR SIR.—Your letter of this date has been received and read with much pleasure. Permit me to offer to the Committee on Detentions of the Association my sincere thanks for their kind words of approval of the steps which are to be taken in behalf of the more youthful prisoners committed to the custody of this Department.

I have transmitted a copy of your letter to the mayor, as Chairman of the Board of Estimate and Apportionmen, and I sincerely trust, that by the action of the Board, a sufficient amount may be allowed to enable me to carry out the improvements already commenced.

Again thanking you, I am,

Very truly yours,

(Signed.)

THOMAS W. HYNES,

Commissioner.

The Board of Estimate and Apportionment supported the plan of the Commissioner by an appropriation which has enabled Mr. Hynes to establish dormitories and a school for boys at Hart's Island and to renovate and reconstruct the dilapidated buildings on the island and to fit them for the reception of women prisoners.

UNITED STATES PRISONERS IN REFORMATORIES.

March 30, 1901, there were about forty United States prisoners in Elmira Reformatory, all committed under definite sentences. While these young men have the advantage of that institution, if they wish to avail themselves of its opportunities, they lack, however, the incentives which are furnished by the indefinite sentence. As one of these "definites" said to me, they know nothing that they can do while they are in the institution will shorten their sentence beyond the small deduction they get for "good time;" they know also equally well that no bad conduct of theirs can in any way lengthen their sentence. They constitute a different class from the great majority of the inmates. They may gain or lose certain privileges by being advanced or reduced in grade, but what they gain or lose has no important relation to their liberation. Further, when they are discharged, they are discharged absolutely and cannot be placed under the healthful conditions of the parole law.

In his report for 1894 Attorney-General Olney, after describing the character and benefits of the reformatory system, said:

"In these benefits and privileges, juvenile convicts who are sent from United States courts have no share. Their sentences are

fixed, and no matter how perfect their conduct, they can receive only such commutation of sentence as is prescribed for prisoners sentenced to prisons or penitentiaries. They are thus deprived in large measure of those incentives which induce others to work for parole, and the discrimination thus necessarily made results not infrequently to the absolute prejudice of the Federal prisoner, causing him to regard his treatment as a species of injustice, and encouraging him in insubordination and discontent. To remedy this condition federal prisoners should be placed on the same footing in these institutions as the other inmates, and the statutes should be so modified as to make applicable to Federal prisoners sentenced to reformatories the indeterminate sentence and parole laws which govern the State prisoners therein confined."

A committee appointed by the National Prison Association, composed of Mr. Z. R. Brockway, Mr. Albert Garvin, warden of the Connecticut State Prison, and myself, have framed an indeterminate sentence law, based on the New York law, adapted to Federal prisoners. This proposed law has been approved by Major Strong, Superintendent of United State prisoners in the Department of Justice, and by Mr. James M. Beck, assistant Attorney-General. Hon. Vespasian Warner, chairman of the Committee on Revision of the Laws in the House of Representatives, who himself strongly favors the indeterminate sentence, proposes to include the proposed law in the report of his committee on the United States Penal Code. While there is some advantage in this disposition of the law, the chances are that no action will be taken on the United States Penal Code at the present session of Congress. It may prove to be better at the succeeding session to submit the law as a separate bill.

STATISTICS OF PROBATION.

A provision of the probation law requires that clerk courts shall notify the Secretary of State of the appointments of probation officers, and also send certain statistics in regard to those placed on probation. Wishing to know to what extent probation officers have thus far been appointed and to what extent the law is operative I addressed a letter to the §

of State asking for exact information. A reply was received stating that the facts were not yet accessible, and that it might take some time to secure them. Evidently no appointments have been made in some courts, or, if so, the appointments are merely nominal. While some of our judges are using the law in a manner to illustrate its great utility and benefit, others are apparently indifferent to its existence or operation. The success, however, of probation officers and the probation law in representative courts, is sure to be felt in neighboring courts and communities; and the campaign of education with reference to probation must be continued until it is uniformly applied throughout the State.

PROBATION IN BROOKLYN.

A salutary result of the development of public sentiment on this question in Brooklyn appears in the combined action of a number of women's clubs and allied organizations to sustain a probation officer in the Brooklyn magistrates' courts. On April 14th Mrs. Barrows addressed a meeting of representatives of these clubs in which great interest was shown in this subject. Subsequently the corresponding secretary addressed meetings of representatives of the same clubs and was kindly invited to make suggestions as to practically carrying out the scheme. Miss Annie J. Roome has been appointed by the committee of the women's clubs, and this Association has promised to make a contribution of fifty dollars a year towards her expenses. She began her work in December, but had previously had experience as a volunteer probation officer in some of the courts.

WOMEN'S COMMITTEE.

In May the committee of inspection was strengthened by the addition of ten ladies, who were appointed by the president and consented to serve: Mrs. Isabel C. Barrows, Mrs. Maud Battershall, Mrs. Tunis G. Bergen, Miss Mary H. Bouvier, Mrs. G. Stanton Floyd-Jones, Miss Mary Sinton Lewis, Mrs. Henry P. Loomis, Miss S. R. Martin, Miss Katharine O'Connor and Mrs. Henry Remington Toler. This committee has since made

several inspections of women's institutions, beginning with the Woman's Reformatory at Bedford, reports of which are published elsewhere.

EMPLOYMENT OF AN ASSISTANT AGENT.

In accordance with resolution passed at the special meeting of the executive committee, Mr. E. E. Waite was engaged to assist Mr. Kimball in making his probation work at the Court of General Sessions, and also in visiting the City Prison and the penitentiaries on Blackwell's Island and Kings county. Mr. Waite held his position until the month of December, when he resigned and moved to Boston. Mr. Bullard has since been provisionally engaged to continue in the same line of work.

VISITS TO PRISONS AND INSTITUTIONS.

The visits of the corresponding secretary have included in New York the City Prison, the penitentiaries on Blackwell's Island, Kings County Penitentiary, the Workhouse, the jails in Richmond, Kings and Queens counties. On May 7th, in company with Dr. J. G. Phelps Stokes, chairman of the committee on detentions, and Mrs. Isabel C. Barrows, of the woman's committee, the House of Refuge for Women at Hudson was visited. On May 8th the prison at Auburn, Mrs. Barrows inspecting the woman's department. May 9th we visited the George Junior Republic at Freeville, N. Y. After a most interesting day studying this novel experiment Dr. Stokes and myself visited the Craig Colony for Epileptics at Sonyea, in Livingston county. Monday, May 12th, I inspected, alone, the jail at Geneseo. At Rochester I had an interesting conference with Rev. Dr. Crapsey and Rev. William C. Gannett, members of our Association. On May 27th I attended, in Rochester, a meeting of our county committee, at which Judge Quincey Voorhis, the chairman; Dr. Crapsey, Judge Arthur E. Sutherland and his brother, Mr. William E. Sutherland, were present, and also the probation officer appointed by Judge Sutherland. This officer is doing excellent work. In company with Mr. Brockway I visited the reform school at Rochester, and the jail in that city concerning which Mr. Brockway has written reports.

While attending, the last week in May, the National Conference of Charities in Detroit, I visited the House of Correction in that city which furnishes an interesting example of how short sentence men can be profitably kept at work from a financial as well as from a moral standpoint. The Detroit House of Correction has for years not only paid its expenses, but turned in many thousand dollars to the city treasury. But what is more important, the discipline secured through this labor is of the best order, and within the last year it has been decided to assign the inmates a portion of their earnings. Returning from Detroit, I visited jails at Ogdensburg and Canton, in St. Lawrence county, in Franklin county, and the jail at Plattsburg, in Clinton county. I have twice visited during the year the State Prison at Dannemora, and the hospital for insane criminals.

As Commissioner for the United States on the International Prison Commission I went abroad in July to attend the meeting of the International Prison Commission at Berne. The principal object of the meeting was to frame a program for the Seventh International Prison Congress to be held in Budapest in 1905.

While abroad I visited prisons in France, Switzerland, Bavaria and Holland, paying especial attention to the newer prisons and representing the best types of European construction. I had visited before, the prison at Fresnes, near Paris, and was impressed again with its admirable structure as well as with its good administration. The new prison at Straubing, Bavaria, is likewise an institution erected on a grand scale, and with every modern improvement. At Zurich and Lenzburg one may see examples of the progressive spirit of Switzerland, and at Harlem, in Holland, I visited for the first time the new circular prison, an interesting type unknown in this country.

Notable feature of new prisons abroad are the good sites chosen, with ample ground, some of which may be used for gardening or agricultural purposes; the utilization of different types of structure such as the rectangular, cruciform, and circular forms; the ample cell room, the admission of direct sunlight in the cell, the thorough system of ventilation, the abso-

lute prevention of vermin from finding lodgment in cells, new punishment cells with double doors, the inner one of steel grating, two feet from the outer door, thus protecting keepers from assault; the application of electricity, the telephone and electric lights for maintaining better security in prison administration. At Straubing, for instance, there are tiers of cells for the more dangerous prisoners in which a colored electric light above the door burns whenever the doors open, and the fact is reported by an electric signal at the central office. Watchman's clocks are also used to insure greater vigilance of keepers at night. No corporal punishment is now allowed in Bavaria, France or Switzerland.

MEETINGS.

January 10th Messrs. Smith and Barrows, the secretaries of the Association, attended as delegates a conference of civic, educational and philanthropic organizations held at the rooms of the League for Political Education, 23 West Forty-fourth street, with the view to promote coöperation and prevent duplication of effort. Reports were made from more than thirty societies, and steps were taken for a permanent organization of the conference.

On February 20 and 21, 1902, the corresponding secretary had the pleasure of attending, with the president of the Association, the session of the first New Jersey State Conference of Charities and Correction, held at Trenton. The meeting was an interesting and inspiring one, and among its most gratifying features was the evidence in the addresses of Judges Fort and Skinner, that members of the bench in New Jersey are taking an active interest in the improvement of the penal system of the State.

On Tuesday, February 26th, I addressed the Conference Charities at Orange, N. J., on the subject of "A Reformatory for Women," which it is proposed to establish in New Jersey.

October 31. I addressed a meeting of presidents and representatives of women's clubs in Brooklyn, on the subject of probation with the special view of securing the appointment of a probation officer, her salary to be raised by contributing

The Association was represented at the Third State Conference of Charities and Correction, November 18, 19 and 20 at Albany, by Dr. Samuel Macanley Jackson and the corresponding secretary.

November 23d, as chairman of the committee on the treatment of the criminal, I attended a meeting of the executive committee of the National Conference of Charities and Correction to discuss a provisional program for the conference to be held at Atlanta, Ga., next May. On the same day I addressed the Needle Woman's Guild at the Assembly Hall of the Charities Building. The Association has since received a valuable gift of underwear from the guild in addition to favors of previous years.

November 24 a committee consisting of Mr. Holt, chairman of the law committee, and Dr. Stokes, chairman of the committee on detentions, and the corresponding secretary waited upon Mayor Low, by appointment, in regard to extending the jurisdiction to the department of correction of New York. The mayor thought the proposition logical and asked the Association to frame a bill embodying the suggestions made.

November 28 and December 12 the corresponding secretary appeared before the board of estimate and apportionment in relation to the proposed new women's jail in Brooklyn, showing that all sentenced women could easily be accommodated in the Kings County Penitentiary.

Several meetings of the law committee were held in relation to the bill for extending the jurisdiction of the department of correction.

December 3d the corresponding secretary met the committee of the women's clubs of Brooklyn in regard to the appointment of a woman probation officer in Brooklyn.

December 6 to 10 I spent in Washington, D. C. It is a matter of regret that the appropriation of \$100,000 made by Congress for jails in the Indian Territory is to be expended upon four jails to cost \$25,000 each. While the department of justice will make strenuous efforts to get the best jails that it can for this money it is unfortunate that a larger appropriation was not placed at its disposal.

In response to an urgent invitation from the Prisoners' Aid Association of Canada I went to Toronto December 13. Sunday

morning, December 14th, I joined the president of the Association, Mr. Hamilton Cassel, at the Central Prison of Toronto and preached to the prisoners from 10 to 10.30 a. m. A carriage in waiting took me to the Central Presbyterian Church, Rev. Daniel McTavish, minister, at 11 o'clock where I preached a short sermon. At 12 o'clock I was driven to the Metropolitan Methodist Church, Rev. Dr. Sparling, pastor, which I reached at 12.10 in time to follow the pastor's sermon with a ten minute appeal in behalf of the Prisoners' Aid Association. In the evening I addressed a large audience in the Carlton Methodist Episcopal Church, Rev. Dr. Smith, pastor, on the treatment of the criminal. Monday, December 15, at 10.30 a. m. I attended a meeting of the Toronto Ministers' Association and by invitation spoke on probation. At 1 p. m. I was the guest of the Canadian Club. This organization is made up of merchants, students, and lawyers, and embraces in its membership the most active and progressive element in Toronto. It meets every Monday at 1 o'clock, has lunch for half an hour and then listens to an address for half an hour or holds a discussion on some prominent topic. I received a cordial welcome and spoke for half an hour on "International Aspects of Penology." At 8 p. m. I attended the annual meeting of the Prisoners' Aid Association and spoke in relation to its work and aims.

Tuesday, December 16th, I had, at the Parliament Building, 11 a. m., a pleasant interview with Mr. James Noxon, the head of the prison department, and was the guest at luncheon with Mr. James Massey, former warden of the central prison, who is one of the best representatives of prison reform in Canada. At 3 p. m. I attended a public conference on prison reform under the auspices of the Prisoners' Aid Association, and spoke on the indeterminate sentence. At 5 o'clock I accompanied, by invitation, a deputation from the Prisoners' Aid Association, which the mayor of Toronto, to wait on the premier, Mr. provincial secretary, Mr. J. R. Stratton, in regard to the association is urging upon the attention of the government. In response to the hospitable invitation of the premier, questions I gave such information as I could from my experience of some of our own States.

reforms urged by the Prisoners' Aid Association are a reformatory to be established by the Dominion Government for young men, first offenders, and secondly legislation whereby parole system, the accumulative sentence system, and the probation system, may be legalized in Canada. Of the Ontario government they ask for:

1. Greater expedition in the means that are being taken to establish the Provincial Reformatory for boys on good farm land, and the adoption of the cottage system.

2. The adoption of the probation system.

3. The adoption of the proposed bill for the economic treatment of inebriates.

The association also asks for isolation cells in the Toronto jail for the purpose of keeping boys and young men — first offenders — from the contaminating effects of jail association.

4. The more prompt removal of lunatics.

5. Other provision than the jail for the destitute poor of the city.

The Canadian Prisoners' Aid Association is thus seen to be active and progressive in spirit. That it keeps so well abreast with the times is largely due to the vigilance and earnestness and untiring industry of its secretary, Dr. A. M. Rosebrugh.

I take this opportunity of returning thanks to Hamilton Cassel, Esq. K. C., president of the Prisoners' Aid Association, to Dr. A. M. Rosebrugh, its secretary, to James Massey, Esq., J. T. Gilmour, Warden of the Central Prison, to the Ministers of Toronto who so kindly opened their pulpits, to the Ministers' Association, the Canadian Club and to still other friends for kind hospitality.

S. J. BARROWS,
Corresponding Secretary.

PRISONS AND JAILS.

The Prison Association has been fortunate during the last year in availing itself of the long and fruitful experience of Mr. Z. R. Brockway, formerly superintendent of the Elmira Reformatory, who inspected a number of jails and penitentiaries in the central and western part of the State and gave to the Association the benefit of his observations. Special reports on these penitentiaries and jails are given on subsequent pages. But more important than the details of local conditions are the general conclusions reached by Mr. Brockway concerning the jail and penitentiary system of New York State as printed in the following communication addressed to the Association.

JAILS AND PENITENTIARIES IN NEW YORK.

By Z. R. BROCKWAY.

The common jail system has not found a defender these last hundred years and more. It is, as a system, a combination of evils known, exploited, deplored. The entire jail system of the whole State and county is iniquitous, and the jails themselves are but centres of pollution deftly if unintentionally distributed. Civic wisdom has thus far failed to find an effective remedy for the evils of the jail system and the jails. The more modern and alleged improved jail structures scarcely palliate the evils of jail imprisonments, and the district penitentiaries which were established half a century ago with good intention only mitigated the evil for a time and that more apparently than really. These penitentiary hostleries for misdemeanants were always, practically convict prisons managed mainly for profit and, now by reason of prison labor legislation have become but jails where short term prisoners are confined without systematic instruction either in labor or letters.

EVILS OF THE JAIL SYSTEM.

The faultiness of the jail system is rooted in causes so apparent that it seems surprising that they have not hitherto been better recognized; their removal is so simple and easy a matter that it is amazing the evil and the fault have been so long endured.

The causes referred to are,

First, the association and unrestrained communication of prisoners confined in the jails. This pernicious practice is attributed to

a. Defective arrangement of jail buildings making it difficult to separate the prisoners as they should be during the whole time of their confinement in jail.

b. The prevalent good natured, careless sentiment with sheriffs, jailors and others, to the effect that the jail prisoners *ought not* to be crossed but should be indulged in their desire to associate and communicate with each other; and

c. To the common notion that jail prisoners are more tractable when they are thus indulged and are more servicable for convenient or supposed economy in performances of routine jail duties.

Secondly. The use of common jails for imprisonment of prisoners on final sentence instead of sending the prisoners to the penitentiaries where, until recently, they were put at work for profit, were subjected to less or more salutary discipline, and where actually or possibly their association and communication could be somewhat restrained and regulated. This retention of penitentiary prisoners in jails is explained by the terms of contracts between the counties and the penitentiaries, which were so phrased as to exclude from the penitentiaries prisoners from outside counties sentenced for less than sixty days, and by the practice of magistrates of making sentences often fifty-nine days or less and so sending prisoners to the jails instead of to the penitentiaries. By such means the income of the sheriff, under the fee system, was increased, the prisoner and his friends were sometimes thus accommodated; and such short sentences to the ... served to satisfy a traditional vague estimation of justice or

punishment. Latterly, since work for prisoners at the penitentiaries is abolished, the magistrates discover no moral or other advantage of penitentiary over jail imprisonment and by holding the prisoners in jail there is saving of expense, viz: the cost of transportation to the penitentiaries, and under the sheriff's salary system substituted for the fee system in so many counties, there is some saving of cost for current support. Naturally the contracts of counties with the penitentiaries are allowed to lapse without renewal, so that the number of sentenced prisoners held in the jails is increased and increasing, often to overcrowding which fact supplies to the jail control plausible excuse and argument for allowing free communication amongst them. The presence of these sentenced jail prisoners increases the difficulties of jail management and, in truth, diverts the jail from its only proper use, namely: *for the temporary detention of prisoners who are awaiting the action of the courts.*

The *third* cause to be here mentioned is parsimony and indifference on the part of the county authorities, the jail officials, and community as to jail administration. There is not a sufficient number of employees to supervise the jail prisoners so as to prevent improper communication among themselves and with objectionable acquaintances and visitors. The small expenditure required to instruct and occupy the prisoners is withheld; and, there is, generally indifference to and absence of effort for their recovery to logical and provident behavior whether they are under sentence or awaiting trial. The public parsimony should not be attributed to penury, for there is abundance of means; nor to meanness, for the public sentiment when aroused, and informed on the subject is always most generous in expenditures for charities and corrections. No doubt, petty partisan considerations play their part, one party shifts the onus to another party back and forth year by year; but such partisan practice could not continue except for apathy which is the product of ignorance as to the real importance of this jail matter; imperfect discernment of the influences that induce crimes, nescience as to the spring of feeling and conduct, and a commonly crass notion abroad about moral freedom and consequent desert. The general

mind is averted from the topic of the jails and is dense as to the danger of social infection from these jail repositories and anti-social human bacillus.

SOLUTION OF THE JAIL PROBLEM.

The long sought solution of this perplexing jail problem consists in the adoption of three public measures which will exert at the same time a powerful repressive influence upon the annual volume of crime; namely, the isolation of prisoners in common jails; the providing of establishments and a systematic treatment for sentenced misdemeanor offenders; and, some items of necessary legislation.

The isolation of prisoners in jails may be now promoted and ultimately accomplished by reducing their number as it will be when sentenced prisoners are excluded from the jails and confined elsewhere, and by such alterations of existing jails with improved new jails when from time to time alterations and new construction are made in a regular procedure. It may be made obligatory upon the counties to provide enough of immediate supervision. Improved jail management may be effected by the influence of local committees of the Prison Association working for this end together with the State Commission of Prisons in their supervision of jails. The six county penitentiaries already in existence if not well enough adapted for present use may be made so with a not large expenditure, and with the addition of another — a deportation colony — could all be easily arranged in series for the intended purpose.

THE PENITENTIARIES.

These penitentiaries were originally established for the very purpose of an improved treatment of misdemeanor offenders, but were soon diverted to use for imprisoning felons from the State and federal courts. These penitentiaries are about to become great jails devoted to the usual jail use only and are felt to be burdensome for the counties of ownership to maintain. If, for any reason, Kings county penitentiary is to be abandoned, the property put to other use, there yet remains at Manhattan the penitentiary and workhouse; and even if Manhattan prefers

to retain these institutions under local control, there then remain the institutions at Albany, Syracuse, Rochester and at Buffalo, which, together with the before-mentioned proposed colony, afford capacity enough, and when arranged in series, would be all sufficient establishments to initiate the general system. The Syracuse penitentiary is now renewed and removed far enough from the city of Syracuse for use as the agricultural training school of the series.

DESIRABLE LEGISLATION.

Legislation will be needed to extend and perfect the probation act of 1901. The function of probation officers should be extended from their present duty of investigation and supervision, after arrest, to investigations and conveyance of official admonitions previous to actual arrests, the aim being to avoid arrests in the same manner that the probation act now seeks to avoid imprisonment. The court should have discretion to allow and order compensation to voluntary probation officers whenever the services they render properly justifies compensation. In the same spirit and on the same basic principle of the probation and parole laws, authority should be given to magistrates to impose a probationary test which shall include training treatment within and without the confines of the before-named correctional establishments, in custody of a supervisory board of officers: this without any predetermined limit of time nor too restricted statutory conditions of treatments. The final disposal of such committed probationers — their absolute discharge on parole, should be left to the governing authority to be determined according to the conduct of the probationary pupil. I wish that the law would make it imperative that all misdemeanants on conviction, if not absolutely discharged at the time, should serve on probation either in charge of probation officers in the open in accordance with the act of 1901, or to serve probation in custody. The law should clearly prohibit imprisonment in jail of any prisoner, after his full court trial unless temporarily imprisoned while awaiting an early transfer.

The series of correctional establishments and the management of the whole system might well be placed in the hands of the

State Commission of Prisons, forming a new and distinctive department of the State prison system. It is, however, yet an open question whether the proposed legislation should include giving power to the Commission of Prisons to select and transfer from the State prisons certain prisoners serving under the indeterminate sentence (those of similar grade of character to misdemeanants) to the new department for better preparatory training. Such a measure would contribute to unify control of all prisons except jails; would enable the Superintendent of Prisons to make a good classification of all sentenced prisoners; afford better facilities for their industrial training, and would create a favorable condition of laws and institutions for ultimately obliterating the present distinction between felony and misdemeanor, a distinction so generally unreasonable, often injurious, unnecessary for the public protection, and always useless for any purpose other than to maintain the chimera that there is somewhere to be found an absolutely just measure of punishments to fit such statutory distinctions. It would also prove a good stride towards realizing in the laws the full indeterminate sentence principle.

The State Commission of Prisons, associated with the State Comptroller, and their action to be approved by the Governor, might be empowered to acquire the penitentiaries and found the suggested colony. With any one of the penitentiaries in hand, manned, equipped and with an appropriation for maintenance, and after the enactment of suitable laws for organizing them, the whole would be put into commission by a Governor's proclamation. The best known measures of legislation to secure non-partisan administration to the utmost that is possible under our political system seems to be: (a) some plain statutory declaration to this effect and honest application of civil service regulations; (b) making it an offence, with a penalty, for any attacks of the department to contribute to a partisan fund or to actively engage in a political canvass; (c) prohibition and penalty as against any who shall solicit or approach improperly, in view of their obligation any attache of this department. Financial legislation must be had to acquire the property, provide the plant, to furnish means for current maintenance and repairs, with better-

ments as required, and to supply an economical incentive to officers and all concerned promotive of the best efficiency. Some of the penitentiary counties are already desirous to sell their penitentiary property outright and at a fair valuation; other desirable penitentiary property might need to be acquired by the State through condemnatory proceedings, or the State could lease, making return of rental by State support of prisoners now maintained at the county expense.

In whatever way the State may take over the penitentiaries it is but an investment, not a waste of public funds, for, if taken at a fair value, as would be, the penitentiary property could be sold again for other use, thus realizing the investment which is, at present, justified for public welfare. The cost of maintenance should be divided between the State at large and each county having prisoners under treatment, divided and shared on a plan similar to the practice in Pennsylvania of maintaining the penitentiaries. Such an arrangement for the support of those misdemeanor convictional establishments would insure, in the counties, a local as well as general interest in maintaining public order and interest in the culprits, more than when the State, by a general levy, should assume the total maintenance expense. Moreover, the act should provide for collection and payment to the counties participating from prisoners themselves having resources, from family relatives of prisoners and, possibly, from wards of cities and from townships. Under a system of increasing valuation for taxation, the owner of crime-breeding property may be made to pay. There is here certainly an open field for distributing and levying the cost of maintaining criminals upon the county, township, ward and landlord, constituting a just discrimination of taxation, one likely to exert, at the same time, a salutary repression on crimes.

A COLONY FOR INCORRIGIBLES.

An act creating this new department of the prison system of the State should include full authorization to locate, procure, prepare and operate a colony or colonies small or large for apparently incorrigible and other anti-social siftings from the mass of offenders coming under this system.

Some magistrates of much intelligence and influence are known to earnestly desire a better plan and authority of law for disposing of misdemeanants, and, throughout the State, magistrates generally are perplexed with this misdemeanor problem. Many prominent judges of the higher courts will, it is confidently believed, approve of this plan as an experiment, at least, and will, if required, recommend its adoption by the Legislature. The penitentiary counties, some of them surely, and others of them probably, are anxious to dispose of their penitentiaries so that several county centres of influence can be counted on to urge favorable legislative action.

ECONOMIC VALUE OF PAROLE.

Mr. Butler, secretary of the State Board of Charities of Indiana, says that, covering a period of four years and seven months to October, 1901, there have been paroled from the two prisons of that State 1,340 men; that these paroled prisoners earned on parole \$272,661.68, of which amount they had saved in hand \$48,063.71. Economy is further shown by the operation of the indeterminate sentence with parole plan at the New York State Reformatory at Elmira the first twenty years. A comparison of saving of time in prison for 5,120 prisoners paroled, compared with what must have been had the prisoners been under a determinate sentence, taking the minimum of sentences to the State prisons for the similar offence as the basis of comparison, shows 10,112 years of imprisonment saved, and a saving of maintenance cost of \$1,395,456. If there should be computed and added to this monetary saving the earnings of the paroled prisoners while on parole, calculated on the Indiana experience of earnings, then a total economical benefit is shown of \$2,362,683. And if compared with Mr. Eugene Smith's estimate of the public cost of criminals at large the amount of economic advantage reaches an enormous figure. In this connection it is worthy of note that the average time imprisoned of these 5,120 paroled felons is less than two years for 62.6-10 per cent., and for 86.4-10 per cent. less than three years.

It will be observed that while the proposed change of treatment of misdemeanants extends to them every advantage and encouragement, and excludes retributive punishment, it is also

an effective protective measure. It is intended that when the public necessity demands reclusion of misdemeanor offenders, and they are actually in custody, they shall be fitted by training and placing, for earning and good behavior as the conditions of their release. There must appear, for release, some good probability that they *are* thus fitted and adjusted, and little or no probability that if released they will appear again as offenders.

ALBANY COUNTY JAIL, ALBANY, N. Y.

This old jail should be razed to the ground and a new one supplied without delay. It consists of a small block or group of ordinary penitentiary cells opening into a corridor on either side of the block, and of a few rooms for women or witnesses adjoining the residence or offices. There are no suitable facilities for classification or separation of inmates from free communication with each other, no adequate ventilation of the cells. Probably the jail managers are doing as well as they can do in this matter of order and cleanliness, but there remains much to be desired in these respects. The prisoners have enough to eat, are kept in safe custody and are as comfortable as could well be required for such a class of offenders in temporary jail confinement in such a jail. Twenty-six prisoners were there all told, and of these twenty-three were court prisoners and only three served sentence. Prisoners sentenced for misdemeanors at Albany usually are committed to the penitentiary. One of the prisoners was under sentence of ten months, he was in service as a hall boss, the others were for terms less than thirty days. The greatest number of prisoners at any time during the year is said to be fifty-five.

There is no school, no regular employment. Religious services of a sort are maintained under charge of the City Missionary and Tract Society. Here, as at Rochester, it is under consideration to abandon the jail by removing jail prisoners to the county penitentiary. It is freely admitted by the officials I met that a new jail is needed, and here as at Troy is a suitable field for effort on the part of the Prison Association's county committee. The location of the present jail is convenient to the court house, and the lot is large enough for a

good modern jail so constructed and classified of apartments as to enable the avoidance of corrupting communications among the jail prisoners, such as commonly prevalent and perhaps quite unavoidable in this jail and in others so faulty of construction. A model jail at the capital of the State of New York would naturally be copied and so improve jails throughout the State as from time to time improvements are made in other county jails and new jails are provided.

Inspected June 27, 1902.

Z. R. BROCKWAY.

ALBANY COUNTY PENITENTIARY.

During the forties a movement was rife to relieve the evils of idleness in jail confinement of sentenced misdemeanor prisoners by their systematic employment under good discipline. District penitentiaries were provided, owned by the county where jail prisoners from the several counties were imprisoned on contract and payment by the county of their conviction for ward and penitentiary care.

The Albany penitentiary was the first of this class of prisons, and at the time of my first knowledge of it not far from the year 1850, contained some hundreds of misdemeanor prisoners, afterwards increased by a large number of Federal prisoners received from the United States courts sitting in many of the States and Territories. This penitentiary scheme was inspired, guided and developed largely by Amos Pilsbury, the first superintendent of the Albany prison, and for years its able and admirable executive manager. Later his son, Louis Pilsbury, succeeded him as superintendent of this penitentiary, continuing the spirit and methods of the elder Pilsbury's management until he himself was selected for the first Superintendent of State Prisons of New York, under the amended constitution that substituted a superintendent appointed by the Governor and Senate in place of the board of directors elected by the suffrages of the people at a general election. The central aim of the Pilsburys was pecuniary profit to the proprietor county, but with due regard, according to the sentiment of the times

then, for the welfare of the prisoners. The profitableness of the Albany County Penitentiary under the management of Amos Pilsbury gave it great celebrity and lead to establishing others until, if we include the penitentiary of the city and county of New York, there were and are in this State six such prisons. Other States followed, notably Michigan, Ohio and Pennsylvania. At the period of growth of this misdemeanor penitentiary system in New York, and in other States there was no obstacle through opposition to prison labor, such as is now prevalent everywhere. The contract system was generally adopted, and by the profitable results to the State from the labor of prisoners, made so to a great extent by the management of the Pilsburys and the example of these county or district prisons, the American prison system became famed far and wide both at home and abroad. There remains but the skeleton of that penitentiary system; it has to all intents and purposes collapsed. The county penitentiary establishments at Albany and Rochester and the others in the State are no longer pecuniarily profitable, but a more or less burdensome public charge. Then they were managed without regard to political partisan advantage. Now, the county penitentiaries are but the buffet of partisanship. The prisoners then sent from surrounding counties and thus taken out of the jails, are now confined in the jails again. The prison treatment of misdemeanants in the State of New York has depreciated, turned backwards to the conditions and standards of half a century ago.

While the capacity of this Albany penitentiary is for 600 prisoners, there were in confinement on the day of my visit only 192, of which number only 45 were committed from the home county. Eleven of the prisoners are women and five of them Federal prisoners. Already the annual deficit of income for support is from \$20,000 to \$30,000, varying according to the number of outside prisoners from other counties where board and care is paid for at \$2.25 per week, and such county contracts are not often renewed now when they expire. It is therefore quite evident that Albany county will not maintain the penitentiary for Albany county prisoners alone, and that

the institution will be abandoned as a county penitentiary when all or more of outside counties discontinue its use for their prisoners. Indeed, by an act (chapter 127) of the laws of this year (1902), enacted by the last Legislature the commissioners of the penitentiary are not only empowered to reduce salaries and expenses and to turn over the establishment to the sheriff of the county, but also "to discontinue and close the penitentiary and abandon its use as a prison, and to sell the same and all the lands and appurtenances connected therewith."

The sentences under which the prisoners are confined are from 30 days to a year and a fine; the average term is between four and five months. Of the 1,117 prisoners received during 1901, 438 were under 30 years of age, 547 between 30 and 50, and 132 over 50 years old. Manual training and a school of letters could easily and usefully be organized to embrace training for all or nearly all the prisoners, and would be specially serviceable for training of the 438 prisoners received and the 12 now present there under 30 years of age. If, as is averred, even an hour a week of manual training is useful for pupils of the public high schools, giving 120 hours in the three years' course, then for the shortest term prisoners, now held in idleness, four hours a day for the 30 days of their term would give an equal amount of manual training and be also useful and still more serviceable for the prisoners held under longer sentences. Sixteen a school of letters could be made of much service by way of imparting information, but more by awakening a desire to know and to do.

The situation here at Albany penitentiary is most favorable for the State to acquire the institution and try the experiment of training for a rational reformation and rehabilitation, independent offenders to be committed under the indeterminate sentence through authority conferred through an extension of that system of sentence to misdemeanors. There is a library of some 2,000 volumes, newspapers are provided. Two chaplains, a Catholic and a Protestant, under a salary of \$250 each per annum, conduct religious services on Sundays. It is said the prisoners generally attend such services but as above intimated, there is no education or training given. The Albany

penitentiary is but a large common jail for sentenced prisoners. It is in sanitary condition; the diet, clothing and discipline of the prisoners are suitable; all the details of institutional administration are commendably conducted, but on the low plane of current common jail management.

Inspected June 27 and 28, 1902.

Z. R. BROCKWAY.

BROOME COUNTY JAIL AT BINGHAMTON, N. Y.

This jail and sheriff's residence is quite new, having been erected about 1895. The exterior of the building is of sandstone and is handsome. The outward appearance of the residence portion would grace any street in the residential district of our best interior cities. The jail building proper is insufficiently lighted, the architect having apparently sacrificed light for the jail apartments to the benefit of outside architectural appearance. The interior of the jail is built of iron and (alleged) steel bars. It is well arranged for classifying jail inmates, there being several compartments completely isolated from each other as relates to the possible communication of prisoners from one compartment to another. It is with much reason, claimed for this jail, that it is the best of its proportions or size in the State. However, there have been three instances of escape of prisoners when altogether nine escaped, four of whom were recaptured. The number of cells is fifty, divided into compartments as above stated. The cells, corridors, indeed the whole premises were in excellent order as to cleanliness and other sanitary conditions with the exception that there is insufficient sunlight admitted by windows. There were forty-four prisoners, of which number eighteen were under sentence, and twenty-six awaiting some court process. The court prisoners are allowed to associate, as were also such of the sentenced prisoners as were not at work, breaking stone in a shed two blocks away from the jails. Those not at work were variously accounted for, two of them having refused to work at stoned breaking were locked in their ordinary cells and fed on restricted diet.

The sentences range from three or five days to six months, but mostly the sentence is 59 days, one day within the term that would oblige their transfer to the Albany County Penitentiary according to contract, a policy adopted for economy and intentionally or incidentally it benefits the sheriff, the income of whose office is as yet dependent on fees. But the salary system is to take the place of fees with the election of the next sheriff. Moreover as the recorder of the city, E. Mack Smith, rightly declares, there is no public benefit now possible to be derived by sending prisoners to the Albany County Penitentiary since the prisoners there are unemployed, and there are in operation in Albany no educational or reformative agencies beyond those of the jail at home.

There is provided here a jail chaplain, a country clergyman, who for \$2 a Sunday, holds religious services, optional with the prisoners to attend, and actually the attendance is very irregular. There is an apparently well-used library of say 100 volumes, and newspapers are freely admitted. Of the prisoners but two were women and very few young men. The prisoners generally were of the rural, dissolute, middle-aged loafer class in appearance, more worthless than wickedly or dangerously criminal. Recorder Smith says that he avoids committing youths to jail when it is possible to properly avoid it, and acknowledged his perplexity about their proper disposal. He cordially approves some plan of treating misdemeanor offenders more thoroughly than can now be done under present laws and with the present institutions organized, managed and controlled as they are, and would favor an application of the indeterminate sentence principle to these offenders.

The breaking of stone at Binghamton jail is not a profitable plan. The county pays fifty cents a load for stone, which is hauled in by farmers and others and is of very poor quality, and allows the city and towns to take the broken stone for roads without price or pay. It is doubtful too if the city and towns do, in the long run, get good macadamized roads in this way as cheaply as they could by the purchase of good stone well assorted directly from the quarries and breakers. The outlay for two guards with extra food indulgences and for shed rent and

tools, together with the fifty cents a load for the disintegrating stone, is believed to be a larger outlay per yard for stone than could be purchased elsewhere. Here, as elsewhere, the impression was made upon the inspector that it is of great importance that sentenced misdemeanor prisoners shall be treated elsewhere than in county jails, which should only be used for the detention of prisoners awaiting trial.

Inspected June 26, 1902.

Z. R. BROCKWAY.

CHEMUNG COUNTY JAIL.

The structure was erected in 1872 and has cost the county for the buildings and improvements since made, the lining of cells with iron, together with five thousand dollars (\$5,000) for the site, \$70,276.16. The amount includes the sheriff's residence, a large and commodious edifice, with outbuildings, such as barn, morgue, etc. As a whole, for a county jail establishment of the kind, it is a good structure, but is, as are all jails built at the date named, faulty of plan, and it is now inadequate to the accommodation of the number of prisoners usually confined; that is to say, there is an insufficient number of cells insufficiently lighted and ventilated with no possibility — as they are constructed and located — of keeping the prisoners separately lodged and separately confined, so as to avoid the corruption of indiscriminate association during the day. The premises were found to be in perfect order as to cleanliness and repair. By the efficient care of the jailor there were no offensive odors discernible, such as commonly exist in ordinary jails of this kind.

The food supplied the prisoners is of good quality and sufficient in quantity, being also well prepared and served.

The total of prisoners numbered thirty-two, of which number twenty were under sentence varying from five days to six months. The sentenced prisoners were well employed breaking stone and in domestic work. Of the thirty-two prisoners, three were women, all associated in a large but single apartment.

The cost of supporting the prisoners is .9573 per week per capita, but this amount does not include items of attendance and supplies, which accounts, as kept here, embrace similar expenditures for the other county officers, etc. There is no economy in working at breaking stone as it is here done. The stone used on the streets of the city, as prepared in the jail yard by the prisoners, costs the city more than crushed stone of better quality, and is better screened, would cost purchased directly from crushers run by free labor.

There have been no epidemics or diseases of prisoners, and only two deaths, which were from delirium tremens, and of prisoners past recovery when they were committed to the jail.

Chemung county jail is in good condition and well managed. But, as previously remarked, is wrong of construction, inadequate of accommodations, possesses these faults in common with the jails throughout the State and country generally, and together with them is created and carried on the principle of current treatment widely open to criticism.

Inspected May 21, 1902.

Z. R. BROCKWAY.

MONROE COUNTY PENITENTIARY, ROCHESTER, N. Y.

The examination of this county prison shows the very best of institutionary administration. The main buildings, the out-buildings, every apartment, and also the grounds were all in good order, good repair, and models of cleanliness. The prisoners were well clothed in their prison uniform, evidently well nourished and bathed and were in appearance under excellent disciplinary control. They were quiet, appeared contented, showed no indications of an arbitrary or irritating governance. The penitentiary, not then completed, was opened for the reception of prisoners in 1854; after completion of buildings according to the original plan, and within a few years past, additional cells were constructed, so that there are now separate cells for 500 prisoners. Owing, mainly to the withdrawal of prisoners formerly sent to this penitentiary from surrounding counties, a

withdrawal, induced by the prison labor constitutional amendment, and the act of 1896, the number of prisoners confined in this prison is reduced to 127, of which number 18 are women. The only employment aside from prison duties work is farm work, which at the date of inspection engaged only thirty-five of the prisoners. The prisoners are under sentences varying from ten days to one year, the average of sentences being 4 2-5 months. At the hour of the day on which my inspection was made, 11 o'clock a. m., the prison duties' work was completed and the prisoners were idle, except that some were gathered in what were formerly work-shop apartments and were occupied, under guard, reading or apparently reading from books. The prison library is said to be replenished every two years. Newspapers are admitted, but there is no school or systematic effort to educate the prisoners. It has been demonstrated elsewhere that important educational results can be had with misdemeanor prisoners under such an average term of sentence as that of the prisoners in this penitentiary. Sixty-eight of the prisoners were under thirty years of age. If the Board of Supervisors could be induced to pay for the services of but one school teacher much good would be accomplished by educational effort in this prison. The extremest disciplinary measure used is the dark cell with restricted diet, but one prisoner was under such treatment on the day of my visit.

The deputy superintendent (the superintendent was absent) seemed apprehensive of evil effects from the contemplated bringing to the penitentiary of the jail prisoners of the county, a matter referred to in my report on the Monroe County Jail. The State should take over this penitentiary with the other county penitentiaries of the commonwealth and provide thus, in connection with the improved so-called indeterminate sentence system, facilities for classification of prisoners and such penitentiary treatment of those sentenced as would more effectively prevent crimes and development of misdemeanants into habitual criminals.

The arrangement of this penitentiary plant is such as to enable quite inexpensive supervision. Only one guard is required on

the walls and a small number of guards and assistants can sufficiently guard and supervise the whole of the enclosure and appointments.

Inspected June 6, 1902.

Z. R. BROCKWAY.

MONROE COUNTY JAIL, ROCHESTER, N. Y.

This jail in a large comparatively new structure, possesses facilities for classification, but not for complete separation of prisoners. The apartments visited were, some of them, indeed most of them, untidy, for which condition there is possibly some excuse because the jailor was absent that day and it was "Visiting Day." Under the act of the Legislature (1902) it is ordered that this jail shall be abandoned and the prisoners removed to the penitentiary buildings for a county jail. The matter of compliance or non-compliance with the act of the State Legislature is under advisement by the board of county supervisors, not yet determined. I am of the opinion that a removal of the jail to the penitentiary is unwise, even if it is apparently and temporarily economical of expenditures. Such a policy will be injurious to and probably destructive of the good the penitentiary may do. Prisoners awaiting trial and those under sentence should not be confined in the same prison establishment, and cannot be subjected to the same kind of control and management. All sentenced prisoners should be taken to the penitentiary, but the jail should be retained and used for jail purposes proper. The prisoners in this jail as in other jails were allowed indiscriminate association and apparently no thought is given to the damage arising from it. No attempt is made to rescue susceptible prisoners from their criminality and to prevent the increase of individual centers of evil influence when they shall be discharged. These jail germinal culture fields of crime must be suppressed.

Inspected May 29, 1902.

Z. R. BROCKWAY.

ONTARIO COUNTY JAIL.

The jail was built seven years ago, and a stone shed 50 by 100 feet was built during the past year. There is also a dining-room. The total cost is said to be about \$15,000, not including the cost of the stone shed — the building for employment of prisoners at breaking stone. There is at present a cheerful and suitable apartment over the cell house, used as a chapel, but it is intended to build up into this apartment and so absorb it, an additional tier or floor of cells. The interior of the jail proper is of iron and steel. The jail as a secure place of confinement for criminals is in many respects well controled, but lacks facilities for good separation from evil communications of the jail prisoners. This jail plan makes it possible, with careful administration, to maintain separation of prisoners from bodily contact with each other, but not from evil mental contact. The heating and ventilation are well enough for such a jail, and there are perhaps sufficient bathing facilities. The jail management was apparently in good hands, yet some improvement could be made in good order of apartments, bedding, beds and furniture. The jail contains 32 cells and three large rooms, besides the chapel, dining-room and stone shed before mentioned. There were on the day of my visit 26 prisoners, all males. Of the 26, 17 were committed under sentence from 10 to 60 days each. One was an Indian lad 11 years old only, arrested for burglary and found armed with pistols. The lad was, properly, quite separated from the other prisoners who on each floor were, as usual in jails, allowed to assemble in the "pit" of their flat. This county of Ontario now cares for all the misdemeanor prisoners, having discontinued sending prisoners to the Monroe County Penitentiary.

Religious services are conducted every alternate Sunday by the Salvation Army, the Rescue Mission's people, and by women of the Christian Temperance Union. Attendance on religious services is optional with the prisoners, and about two-thirds voluntarily attend. There are no books, and no educational effort is made; perhaps could scarcely be made by the sheriff and jailor with such very limited expenditure as the board of supervisors have as yet allowed to be made for all purposes.

The punishments consist of the dark cell with reduced diet. The kitchen is well arranged and scrupulously neat. The food is good and ample in quantity.

The sheriff is at present compensated by the old and usual fee system, but by an act already passed the salary system will be substituted with the beginning of 1904.

It is probable that in the winter season the jail will be of insufficient accommodation at times, otherwise Ontario county seems well provided as to its jail. Some scheme for the consideration and care of prisoners sentenced to jails should, by the State, soon be ordered.

Inspected May 30, 1902.

Z. R. BROCKWAY.

RENSSELAER COUNTY JAIL AT TROY, N. Y.

The Troy jail is an ancient structure, built as early as 1826; its cells are rooms intended to receive a number of occupants each, the partitions dividing these cells or rooms from each other are of wood, and are, the jailor said, infested with bugs. The interior of the jail is inflammable, a tinder-box, without adequate fire protection or sufficient means of exit in case of a conflagration. It is impossible to exterminate the insects from the wooden partitions, and every care is exercised to avoid damage and casualties by accident of fire. The jail premises, outside and within, show thoughtful painstaking attention as to repairs and general sanitary condition.

The investment made in the establishment is about \$50,000. The number of prisoners on the day of this inspection was forty-three; sixteen of them "court prisoners" and twenty-seven under sentence; seven were women; there were no children, none or few youths; they are adults of a municipal "bummer" class. The sentences of the sentenced prisoners run from five days to six months; most of them were serving very short sentences.

There is no regular employment for them; no school work or effort; no library, but some books and the daily newspapers are admitted and distributed. Religious services on Sundays are maintained under charge of the churches of the city. Some re-

ligious person, denominated jail chaplain, attends occasionally, and benevolent women visit the prisoners to "do them good."

Two prisoners escaped from the jail recently, and previously, not long ago, two others made their escape.

The food supplied is served but twice a day, the afternoon meal at about three o'clock. I believe the food is good and sufficient. It is rather surprising that the county of Rensselaer, with its city of 122,000 inhabitants, wealthy, cultured and benevolent, should so long allow this jail to remain; it is surprising that a new improved jail has not been already provided. The sheriff says that if the question of building a new and suitable jail should be submitted to a popular vote, no doubt a majority would favor it. There is some difference of opinion on the subject of location for a new jail, but this is a matter which could probably be easily arranged. At any rate, the need of a new jail is imperative.

Inspected June 27, 1902.

Z. R. BROCKWAY.

SCHUYLER COUNTY JAIL, WATKINS, N. Y.

This jail is a lean-to structure attached to the rear of the sheriff's residence, built of field or rough quarry stone with an outside veneering course or two of bricks. The eight cells for men are of similar material, and are at present more or less insecure for custody of important prisoners. Two men escaped some weeks ago by digging through the outer wall, against which their cell abutted. The cells are vaults, unventilated except as air may enter through the interstices between the flat crossed bars of the cell doors. Repairs are in process, such as cementing the corridor and cell floors with the view to flushing them readily with water for cleansing. The front wall is to be covered with iron or steel plates as the rear wall is already covered; good and suitable bathtubs have been recently put in place. The jail is heated with steam pipes and lighted by gas. In the upper story there are four square rooms for prisoners, a bath-room, etc., and one room for the turnkey to occupy. The doors to these rooms are cheap panelled wooden doors. One of these

doors was damaged, the lower panels burst through and hanging. The jailor said it was done by a "lady" who was in a passion and kicked a hole through the door. The appearance of all the apartments of the jail was untidy, but this may be partly due to the repairs being made and to the fact that there were no prisoners therein. The number of prisoners sometimes confined in this jail ranges from none to seventeen. Some sentenced prisoners, misdemeanants, from Schuyler county, are still sent to the Monroe County Penitentiary at Rochester. The jailor said there are at present only three at Rochester.

The present sheriff's compensation is by fees, but the next sheriff must serve under the salary system. It is, however, intimated that the change of system will be of no good effect nor result in any saving of expense to the county. It is the opinion of your inspector that the change from fees to salary for sheriffs, when adopted throughout the State, will facilitate the plan of State conduct of all jails and prisons, a measure necessary to any good systematic management of imprisonment for better prevention of crime.

Schuyler county needs a new jail of improved plans, enabling complete separation of prisoners from each other, but there is no prospect that the supervisors will move in the matter. This is evident from the efforts to put the present jail in as good condition as possible and evident also by the public willingness to be taxed for such a purpose.

Inspected May 26, 1902.

Z. R. BROCKWAY.

YATES COUNTY JAIL.

The jail was built more than forty years ago; the jailor's residence is good enough, but the jail itself is bad. It is of stone and concrete materials, unsafe for custody, without ventilation in winter, and the general condition of corridors and cells decidedly mussy. A new jail should be provided, but there is small prospect that anything will be done about it by the Board of Supervisors of the county. At the date of my visit there were only *two* prisoners in jail, and I afterwards ascertained

that there was only one prisoner at the Rochester (Monroe county) penitentiary sent from Yates county. Of the two prisoners in jail, one a man of forty years of age or so was awaiting trial, having been arrested while asleep beating his way on a railway train. In appearance this man was a roving "confidence man," possibly a discharged convict from some prison. The other prisoner was a Penn Yan lad, twenty years old. He was under sentence for intoxication, and said he had been previously in jail on a similar charge. The two were in undisturbed, unsupervised, free communication, sitting at a table in the jail corridor engaged with a pack of cards. Whatever of criminal knowledge the older prisoner possessed would naturally and immediately be communicated to the rural younger village loafer. The young man rather regretfully said, in answer to my inquiries, that he had not been in the State Industrial School or at the Elmira Reformatory, and had to commend himself, in the presence of his older jail companion, by boastfully volunteering the information that he had been in jail before this. The young man was, on the day of my visit, and probably every day of his stay in jail, attending under instruction in the county jail State school of crime. This single instance is not of small importance, because when he is turned out into the community again he is sure to become a center of criminal culture for others and they in turn for still others, the criminous influence progressing geometrically. But the instance of jail association is of vast importance, because it is typical of the folly and damage of the jail system generally. The sheriff says that the average of jail prisoners is, say six, and the largest number at any time during the sheriff's administration on the salary compensation plan is seventeen. The sheriff was a few miles out of town. He is a fruit grower; comes to the county seat and jail once or twice a week "to see how things are going." His salary is \$1,000 a year, with an allowance for jailor, \$300, and for a domestic (the jailor's wife), \$100.

Under the former fee system, there were in jail and at Rochester from twenty-five to fifty persons, the sheriff said.

Yates county should build a new jail on the Akron or separate plan, and the jail should be better administered. Twenty-five

thousand dollars (\$25,000) or so would be sufficient expenditure to provide a suitable jail, and, at this point, prevent further education in crime of the jail prisoners here confined from time to time.

Inspected June 24, 1902.

Z. R. BROCKWAY.

STATE INDUSTRIAL SCHOOL, ROCHESTER.

Secretary Barrows, together with the undersigned, visited the State Industrial School on Tuesday forenoon, May 27th, and on Wednesday forenoon I returned there without Secretary Barrows, for some further inquiries. The cause of our inquiries was not so much in the direction of details of domestic management—institutional housekeeping—as to the matter of real usefulness of this as a good type of such institutions for treating juvenile offenders. It may be safely assumed, and our observation of conditions as we passed through the grounds and through some of the buildings of this juvenile reformatory, confirms the assumption, that with a board of fifteen managers assigned, as divided, into nine committees each, of four or five members, with the 130 individuals employed in various capacities under direction of the experienced and capable superintendent, with the supervision of the State Board of Charities, and of the Charities Aid Association, together with the frequent critical inspections of the agent of the department of the State Comptroller, the internal institutional affairs are quite sufficiently supervised or inspected and are in altogether satisfactory condition. But my own familiarity with the organization and practical operation of reformatories, and knowledge of the difficulties of accomplishing the reformation of offenders through the mechanism and management of reforming institutions, and knowledge, too, of the considerable number of boys having served in such juvenile reformatories discharged, grown to adults, and now peopling prisons of one kind or another, led me to devote my inquiries mainly to the question of practical utility.

Now, on examining the last annual report of the managers and other officers, made to the State Legislature (report of 1901),

which contains a very full description of the premises there, I find there is scarcely required, in addition to the report mentioned, any special communication about the methods and probable usefulness of the institution itself. The report of the officers (1901) is, it seems, a severe arraignment. The managers say:

“Under the present provisions of the criminal code, children between the ages of twelve and eighteen, and for felonies, children who are under twelve, may be committed to this institution. * * * The penal or criminal codes now authorize commitments of all the grades of crimes and offences, from that of being truant, or an innocent orphan with improper guardianship up to the crime of rape, arson and highway robbery. * * * The State thus with a legal drag net, gathers together hundreds of children, those hereditarily criminal and habitually criminal, the drunken and debauched, thieves and prostitutes; and those together with the unfortunate, the innocent, and those of years so few as to barely render them competent, technically under the law, to commit a crime, are gathered in masses within the walls of the same institution.”

The managers complain that no provision of law has been made compelling the separation and classification of the offenders; that among the errors of well-meaning individuals and organizations in the name of philanthropy and by legislatures providing for the training of these classes, the evil influence upon society has been far reaching and destructive; and that “moral contagion is recklessly spread by the State, carrying along with it its necessary accompaniment of physical disease and death. The corruption of morals has been ordained by legislation.”

The foregoing characterization is specially applicable, the managers say, to this institution in the earlier years of its history and they properly take to the more recent management some commendation for efforts to improve the deplorable conditions and for what of improvement has been actually accomplished. But the present doubtful utility of this and similar institutions of which this State Industrial School at Rochester is one of the best is emphasized by the following quotations from this same annual report:

"Notwithstanding changes and improvements in methods of training, the evils entailed by old prison traditions extending back to 1847, and the limitations imposed by physical surroundings, preventing the separation and classification of inmates, are productive now of evils so great as to neutralize and to defeat, to a considerable extent, the efforts of the management. And that there yet remain influences operating upon the inmates "from unfortunate enforced associations, which to a certain extent * * * must affect the lives of all." The superintendent in his own report, echoing the plaint of the managers, says: "Under such conditions it will be readily apparent, even to those who have given the subject no thought, that there must necessarily be more or less contamination." Also, complaint is made of the State policy toward this institution within the year of the report that "it has been practically impossible to find suitable clothing in which to dress new boys," and "as a matter of fact during the past year boys have been dressed in all sorts of non-descript apparel * * * a grievous wrong * * * and a very serious and important matter affecting the self-respect of the boys." "That because of the uncertainty in the matter of salaries and of permanency of position there has been unrest and general retrogression all through the institution," etc. "That the policy of the State in this and many other directions has dwarfed the legitimate work of this great State industrial scheme."

It cannot lessen the force of the criticism upon such juvenile reformatories that the foregoing citations from the report of 1901 are of facts adduced as argument for removal of the whole institution to a thousand acre tract in the open and a radical change of system. It is commendable that the managers are alive to the evils that exist and seek a remedy therefor, and they are no doubt quite correct in the opinion that at the basis of any useful reform in such institutions is the principle of better classification. But, classification alone will not fully accomplish what is demanded to staunch this source of criminal culture, much more and more thorough scientific reformatory work must be done with the juvenile inmates and it is by no means assured that the remedy proposed — removal to the open — will accomplish all that is hoped for from it. My observations of open

juvenile reformatories elsewhere reveal the same and other glaring faults, if not in the same degree of evil effect, and it is still a question whether, on the whole, the open system is the best system for the class of juvenile offenders, which for the public safety, most need to be reformed. Faults of administration, together with concessions to unwise demands of "well-meaning individuals and organizations in the name of philanthropy" will prove as destructive under the open as it is demonstrated they are hurtful under the present housed system.

The administrative defects may be summed up in the one word, superficialism, and it is quite possible that the managers and officers of such institutions are not really responsible for it. Inhibitive "physical surroundings," a too restrictive State policy, and meddlesome representatives of a false sentiment necessitate, perhaps, adoption by the management of both theory and practice, which are in fact subversive of true aim and claim. If it is assumable that the lads committed are of such character that they cannot properly be treated on probation at large under supervision, then any theory of education that fails to correct their fault, and such fragmentary manual and trades training as unfits them for the work they will on their discharge be obliged to do, or fails to fully fit them for their natural special occupation is wrong. The premature release of such superficially trained inmates inflicts an injury upon the community, the relatives and the inmates which is indeed far-reaching and destructive. The injury is the same whether the defective training and premature release is responsive to an inconsiderate demand of outside "influence" brought to bear, or out of deference to a foolish sentimentalism that would relieve the inmate from the necessary strenuous training.

There is no hazard in affirming that a great many boys are annually discharged from both the State Industrial School at Rochester, and from the New York House of Refuge, not well or most favorably fitted and placed to earn their living comfortably in a legitimate trade or employment.

In theory the intention is, according to the managers' report, that instruction shall be made practicable, and the inmates be fairly prepared for use of their trades to earn a livelihood when paroled from the institution. In practice, however, a different policy seems to prevail. The superintendent says that in his judgment "the matter of instruction is the important thing, and whether they ever work at the trade outside or not, the actual value has been just as great as though they were to pursue outside the trade taught them here." The statistics of the institution show that the paroled inmates are not prepared and required to engage, on their release, in the trades taught them, or alleged to be taught them, and that for this reason, and possibly other reasons also, many of them violate their parole and are returned, or by fresh offences find domicile in criminal institutions of another grade or character. The total of those received upon new commitments during the year is 386, and the number paroled 471; while their average time of detention from training is, of boys, 1 year, 5 months and 26 days, and of girls only 1 year, 3 months and 5 days. It cannot be, with such quick movement of the institutional population from reclusion to parole, a population composed of juveniles who according to the superintendent could not have been treated safely on probation without committal to an institution, that the discharged inmates could have been well trained and well placed for permanent rehabilitation — this on the face of it. And such a view is supported by the fact that during the year there were returned to the institution of those paroled, escaped and recommitted, 223; that of the 471 paroled only 61 were paroled for the trades "learned" (?) in the State Industrial School, and by the fact of the superintendent's depreciated estimate of the importance of a close connection between the specific industrial training to be given in the institution, and the individual occupation of the inmates on and after their release.

The individual managers of this and similar juvenile reformatories should scarcely be censured for whatever is of incom-

pleteness, of superficialism of management, because the management is hampered by prevalent erroneous public estimate of the real character of the inmates and a commonly mistaken sentimentalism as applied to them. Mr. Briggs, the superintendent, observes (page 35 of his report):

"It must be constantly borne in mind that they who are sent to the State Industrial School are those who will not as a rule attend public school; they are the incorrigibles of whom the public school teachers are glad to be rid." "Well-meaning individuals and organizations in the name of philanthropy" referred to in the managers' report prompted by the spirit of a hurtful indulgence demand and often obtain the premature release of inmates. This is an interference that certainly impairs the central motive of the system which is intended and calculated to make the inmates exert themselves to secure their own release by meritorious advancement in trades and disciplinary adjustment of themselves. Also, Dr. Bilbey says some are recommended for parole and presumably paroled, because of incipient and advanced pulmonary tuberculosis, thus distributing danger of infection to the general outside community; others are vicious and troublesome, are discharged or transferred to other prisons and then discharged regardless of any assurance that they will amend their habitual conduct, thereby avoiding at the institution the vigorous recovering discipline which the uninformed and sentimental element of the public might not approve of. The same regrettable sentiment induces a leniency within the institution that operates to withdraw a considerable number of the inmates from the educational régime, lowers the standard of performance, slackens the reins and retards the progress of the mass.

The chief of the department of discipline reports that "the most severe disciplinary measure used at the Rochester institution is guard-house treatment, and an indefinite stay in that squad; that during the year covered by the report (1901) the daily average of inmates subjected to this treatment is 37, of which number an average of 10 were confined in separate rooms, all withdrawn from the regular reformatory activities, and some of them on short rations. It is satisfactorily demon-

strated by experience elsewhere that such repressive measures in reformatories conduce to subjective crininousness, and no doubt more of the inmates would be recovered to safe inhabitaney could there be devised, and the public sentiment adopt and approve it, some simple tonical coersive measure to replace the repressive.

It is vain to expect that these inmates generally will respond to persuasion alone. Any system of effective reformation for such must include coercion, and coercion does for the time breed dissatisfaction and restlessness. Washington in his letters to John Jay (1786) recognized and uttered the truth of this principle when he said: "Experience has taught us that men will not adopt and carry out measures best calculated for their own good without the intervention of coercive power." It is worthy of inquiry whether it will not be more difficult to apply this necessary element of a reformatory system when the State Industrial School inmates are removed to the open — the thousand acre tract — as proposed. The evil communications which the managers say are so prolific of corruption could be, by a more effective disciplinary régime, greatly diminished in this institution as it is at present, and could be sufficiently obviated by classification and removal of some inmates and so reducing the total of the institutional population. However, I refrain from discussing the "removal to the open" remedy, presuming that the managers who have for a long time had the matter under consideration may have chosen the wisest course possible to pursue. And such a discussion here would lead so far into the science of reforming wrong character that it would be aside from the proper sphere of a report of official inspection as contemplated by the Prison Association.

This report is not intended as fault finding of the superintendent or managers in the details and routine of their management, but rather as a criticism, and to some extent a protest against the assumed pretended usefulness of such juvenile prisons for the purpose of public protection from crimes.

Inspected May 27 and 28, 1902.

Z. R. BROCKWAY.

OGDENSBURG JAIL, ST. LAWRENCE CO., N. Y.

This jail is used simply for city purposes. Offenders are retained but a short time, mainly while drunk. For longer sentences they are sent to Canton, eighteen miles away. There are eight cells. No ventilation directly from the cells, only from the windows in the external corridor. As a rule, men are kept here but three or four days. The place is fairly clean, but sanitary arrangements should be improved.

Inspected June, 1902.

S. J. BARROWS.

CANTON JAIL, ST. LAWRENCE CO.

This jail was rebuilt about two years ago. Externally it is imposing. The interior arrangement is less satisfactory. A portion of the old structure was utilized in rebuilding. The jail contains twenty-eight cells, distributed on two floors, with two outer corridors on each floor. There are barred windows on the outer wall and the cell structure is an interior cage. There are two swing beds in each cell. There is a water-closet in the inner corridor or cage. Two special cells are used for sentenced murderers or more desperate criminals. The practice of putting two prisoners in a cell is a bad one. The cells are five feet wide by seven feet ten inches long and eight and one-half feet high. The ventilation is secured through apertures above the door and through the grated doors.

At the time of my visit twenty-six Chinamen were confined in this jail, all of them awaiting trial or on appeal for violation of the immigration laws. These Chinamen were confined in an attic constructed entirely of wood and unplastered, extremely dangerous in case of fire. They bring their own bedding and do their own cooking. An extra guard is assigned to the Chinese. The government allows the county \$2.75 a week for each prisoner. Frequent fumigation is a necessity to destroy vermin. But two women were in jail. Three boys were shut up in a room together, apart from other prisoners.

The jail population increases in the winter months, averaging *the highest* between December and March.

The prisoners work on the roads when the weather is seasonable, and in the winter months in the sheds crushing stone. The winter population is largely made up of tramps committed for vagrancy, the other prisoners mainly for drunkenness and petit larceny.

Inspected June, 1902.

S. J. BARROWS.

FRANKLIN COUNTY JAIL, MALONE, N. Y.

This jail was built in 1892. It has brick walls, with a steel cage and intervening corridor. At the time of my visit there were fifteen natives and fifteen Chinamen, one boy awaiting trial. There were no women's apartments, but in case of necessity, quarters above the sheriff's house are used. There are no separate apartments for boys. In spite of the fact that the upper corridor was unoccupied, the fifteen natives were confined in the six cells in the lower tier. Hammocks are used for beds. There are four in some cells and six in the corner ones.

The Chinamen were confined by themselves in a large room in the upper story surrounded with bunks, the walls being of brick, the floor of steel and the roof of sheet iron. This part of the structure is fairly protected against fire.

There is no provision for labor, either within the prison or out of doors. The doors of the cells were open and prisoners were allowed to mingle together in the corridor.

This jail has been properly condemned by the State Commissioner of Prisons. The county ought to have a new jail on modern sanitary principles.

Inspected June, 1902.

S. J. BARROWS.

RICHMOND COUNTY JAIL.

The jail was built in 1860. Construction brick. Interior block of cells enclosed with brick wall, windows a foot wide but very high. Size of cell, 4 feet 10 inches wide, 8 feet long, 8 feet high; built in 2 tiers, 14 cells on one side and 6 on the other; ventila-

tion through an aperture in the upper part of cell, opening into pipe extending to the roof. Iron doors, grated to cells. Population, 16 males and 2 women. Sentences usually range from two days to a year. No employment in cells, but four or five men at work on the farm. Roof inside of wood with iron sheeting above it. There is no hospital ward.

Women's quarters are separate, seven cells, same size as men's. In addition to the grated door there is an outer iron door, which can be closed, making the cell entirely dark. This, the keeper said, is seldom used.

There is one acre of ground around the jail and three acres are hired. Potatoes are raised for the prison. Two horses and two cows are kept. Three guards are employed in three-hour relays. There is an undersheriff and a chef, making five officers besides the sheriff. There is no matron, but the undersheriff's wife is said to take care of the women, though she gets no pay.

The sheriff, Mr. Witte, receives \$6,000 a year; and no fees for keeping prisoners. The debtors' prison is in the court house, two large rooms with three windows each, well lighted and ventilated. These rooms are used for the detention of witnesses.

The drainage is bad. There are no sewers and a cess pool is used. There are two acres of higher land on which the jail could be built and better drainage secured.

In the winter, when tramps are committed, the jail population rises to 35 or 40, and men must be doubled. They sleep on canvass hammocks suspended from hooks. The bathing facilities are inadequate.

This is an old jail, insufficient in size and defective in structure, which ought to be replaced by a more modern building with adequate drainage.

Inspected May 22, 1902, by Messrs. George Williams Curtis and S. J. Barrows.

N. Y. STATE REFORMATORY FOR WOMEN, BEDFORD, N. Y.

On Thursday, May 1, 1902, a visit to the Reformatory for Women at Bedford was made by the four following ladies of the *women's committee* of the Prison Association of New York: Mrs.

G. Stanton Floyd-Jones, Miss Katherine O'Connor, Miss S. R. Martin and Mrs. Isabel C. Barrows. Three hours were devoted to studying the institution and the methods adopted.

This Reformatory, though organized in 1892 was not opened for the reception of prisoners until May, 1901, when one woman was received. There are now 118 in its care. There are 19 women and 11 men on the pay-roll, the men working entirely outside the buildings. The superintendent, physician, steward and assistant superintendent, are all women, appointed through the civil service examinations, women of high character and admirable training. They work together with great skill and the special training of Miss Davis, the superintendent, in the chemistry of food has enabled her, in conjunction with her associates, to make some interesting and valuable investigations as to the best dietary for such an institution. The result shows improvement in the health of the girls specially observed and at the same time a saving to the purse of the taxpayer.

All the domestic work of the place is done by the inmates, as well as the sewing for each one. In the latter department they are hampered by the penny wise and pound foolish method of living from hand to mouth. Though every week sees new commitments, the superintendent is not allowed to have material enough on hand to have dresses and underwear ready to put upon those coming in. It is a fact that sometimes a girl has had to lie in bed till clothing could be made for her. This same policy is seen in the preparation of room to receive them. It would be extremely unfortunate if two girls should have to be put in the same room, but that will inevitably happen if the State does not provide more rooms in the original cell-house, only half of which has as yet been remodelled. The only reply from the State to applications for permission to prepare in advance for the girls who will shortly be sent there, has been that there will be time enough when they come.

The superintendent had a well-thought out plan of teaching these girls scientific gardening, to educate women who could work in the gardens in summer and in houses in winter. Those who have followed the advances made in England know that many young women are there being trained in excellent schools to do

just this sort of thing. Even the colored girls under Booker Washington, at Tuskegee, have for several years had an excellent course in the raising of plants, bees, poultry, small fruits, etc. Nothing better could be devised for these city girls and women than to transplant them into the country and fit them to earn an honest living in such ways. But the governor of the State did not approve of this plan and vetoed the provision.

The farm of 110 acres is not specially adapted for farming, but good propagating gardens could be started. The inmates, from girls of 15 to women of 30, are at a suitable age to be able to do light work out of doors and some of them were setting out strawberry vines the day we were there. They were soon to drop potatoes. This is useful work, but is not giving the kind of training that Miss Davis had in mind.

There are no hard and fast rules yet laid down for the guidance of the community. These may be necessary when their numbers are larger. At present each case is decided on its own merits. The discipline seems good. The severest punishment is confinement, except during working hours, in a light cell. This is usually of short duration, but one woman of 24, who should never have been sent there, was kept seven weeks in this solitary cell before she would yield. Such an utterly abandoned woman as this does incalculable harm in a reformatory. She undoes the good to the other girls as fast as it is accomplished. The superintendent should have the power to transfer women to some institution where she can not harm girls who are trying to reform. An attempt to secure the passage of a law making this possible was defeated. Until the public can be educated in the principles of reform it is going to be uphill work for any superintendent to have to fight vice and obstinacy in the reformatory and in addition indifference and ignorance outside.

The girls are received in the reception house, which is three stories in height. Mothers, or those women soon to be mothers, married women and babies are on the first floor. On the second are the girls who are being studied for farther classification. In the third story are all who have venereal disease, who are kept apart till there is no danger to others from associating with them.

There are four cottages, with capacity for twenty-eight each, two of these are for younger and two for older girls. They are classified according to their previous history.

These cottages are comfortable buildings, clean and light, with fresh air surging through the corridors and over the transoms into the rooms. The rooms are made gay with pictures and photographs, which are fastened to the washable walls with soap, so that when a girl changes her room or goes away, the traces are easily removed. They are encouraged to like pretty things, and flowers and plants were everywhere visible. In one room on the ground floor the cat of the institution, "Peppermint," was so much at home that she was bringing up her five pretty babies in the corner of a room, and Miss Davis encouraged the girl in her kindness to these little creatures.

Each cottage is complete in itself, having its own kitchen and dining-room, all spotless. The laundry work is done by the girls, both steam and hand work, so that they learn to wash in a simple as well as in a more complex way.

In the well-lighted school rooms classes were gathered. Schooling is obligatory and classes are so arranged that all can attend during some part of the day. They are not at all ambitious to learn to read and write, but their wishes are not consulted. Much attention is paid to singing, as the superintendent is a musician. Once a week the Catholic girls spend in singing hymns and once a week the Protestant girls spend in learning their church music. Once a week there is a lecture. Mr. Wood, the president of the board, gives many lectures on his travels, with slides. One evening they come together and do mending. Each girl takes all the care of her own clothes, repairing them, marking them and putting them away.

In the afternoon the girls play games of all sorts on the campus, ball, croquet, basket ball, etc. The campus at that time is more like a school yard where the young people are having a jolly time, than a bit of a reformatory institution. Of course officers are always with them.

The motto, seen a score of times in and about the place, is "Forgetting the things which are behind and reaching forth to those which are before."

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HOUSE OF REFUGE FOR WOMEN, HUDSON

On Wednesday, May 7, Mrs. E. C. Barrows, Dr. J. G. Phelps Stokes and the corresponding secretary inspected the House of Refuge, now under the charge of Dr. Hortense Bruce. There are 220 inmates, the buildings having a capacity of 311. So as at Bedford, the atmosphere created by the highly educated women, Dr. Bruce, Dr. Walker and other intelligent women is favorable for reform. The instruction in the various industries, sewing, cooking, laundry work, etc., is admirable. There is thorough work in gymnastics and a great deal of outdoor employment, both of which give an outlet to the physical energy of the women and aid in the discipline of the prison. There is neither much strength nor inclination for rioting after so much wholesome exercise.

The same need of ability to transfer incorrigible women to different and severer discipline was evident. Dr. Bruce is applying the parole law wisely and systematically, but there are many who give no evidence of fitness for even temporary release, and when their term of three years expires they will be even less prepared for permanent freedom in the community. A study of such cases shows how absolutely necessary is the re-indeterminate sentence for incorrigibles.

A new, more sanitary and more convenient hospital should be constructed in the near future, and the present structure could be converted into a gymnasium and offices for various purposes.

A more crying need is for a proper disposal of the sewage which at present finds its way into the Hudson to add contamination to that great stream. There should also be some way of providing drinking water at less trouble and expense, or the city of Hudson should be compelled to purify its water supply. All the water for the asylum is taken from the Hudson and must be boiled and cooled before drinking.

A new building for discipline has been constructed, with eight supposed-to-be silent rooms. Through failure to deaden the walls, signals may easily be given from the rooms. By strange oversight, there is no observation window. An officer was

be a woman. At present the only medical service is rendered by the physician of the State prison. One chaplain does the work in both prisons. His efforts are supplemented by frequent visits from Mrs. Booth. Mrs. Welsh herself conducts a Bible class.

Inspected May 8, 1902.

ISABEL C. BARROWS.

PENAL INSTITUTIONS OF GREATER NEW YORK.

MEMORANDUM SUBMITTED TO HIS HONOR, THE MAYOR, BY THE PRISON ASSOCIATION OF NEW YORK, NOVEMBER 24, 1902.

The Association calls attention to the necessity of important structural and physical changes in relation to the jails in the boroughs of Richmond and of Brooklyn, and also to desirable changes in the administration and organization of these institutions, and also of the Queen's county jail so as to bring them all under the department of correction of Greater New York.

Richmond County Jail.—The Richmond County Jail has been condemned by the inspectors of this Association for a number of years as antiquated and unsanitary. The State Commission of Prisons has likewise condemned it in strong terms. There is urgent need of a new and modern jail built on modern principles. Such a jail should be well lighted and ventilated, should provide for the complete separation of prisoners and for the entrance of sunlight directly into the cells. The Prison Association earnestly hopes that no plans will be accepted for such a jail which do not meet with all the requirements of penological science. The new light thrown within the last ten years upon the origin and development of tuberculosis renders absolutely necessary a revision of our plans of prison construction if we are to check the ravages of this disease, which is one of the greatest scourges of prison life.

Raymond Street Jail.—The women's quarters of the Raymond street jail are notoriously unfit, and the president of the State Commission of Prisons, Mr. Lispernard Stewart, declared them "a disgrace to civilization." The necessity for using them has

been reduced to a minimum by the adoption of a suggestion made by visitors of this Association that the Kings County Penitentiary should be used as a jail for women.

The men's quarters though better constructed and more tolerable as a place of detention are inadequate as a place of commitment under sentence. One of its most glaring defects is that there is no provision for labor for prisoners.

A proposition has now been made to rebuild Raymond street jail. The Prison Association while heartily favoring the building of better accommodations believe that neither the Raymond street jail nor the Richmond county jail should be considered as local and isolated problems, but that they ought both to be considered with relation to the whole question of the treatment of offenders within the limits of Greater New York. The decision of this question will have important bearing on the architectural character of these institutions. If they are to remain in isolation and as receptacles for sentenced prisoners they should be sufficiently provided with workshops. If to be used simply for those awaiting trial, workshops will be unnecessary, though a certain number of cells should be sufficiently large to admit of hand labor for unconvicted persons who may desire to exercise their right to labor while awaiting trial.

Reasons for merging these institutions into the Department of Correction.

1. We believe there should be a distinct difference between the régime for persons under arrest awaiting trial and those who are sentenced under conviction. The first are presumably innocent, and the problem in reference to them is simply that of detention. Prisoners under sentence are presumably guilty, and the problem with reference to them is correction. A jail should therefore be simply a place of detention. Arrested persons should be separated, detained in cells sufficiently large, and permitted to work on their own account while awaiting trial if their occupations permit of labor in their cells.

Those under conviction should be committed where they have the discipline which comes from steady work, proper instruction, and a certain standard of deportment.

young husband was almost beside himself with worrying. The wife was in such a condition that she must not be informed as to how financial matters stood, and, in despair, after failure to borrow money from friends, the young man stole his employers' goods and with the money realized paid the heavy expenses that had come upon him unexpectedly. The operation was successful and soon after his wife was restored to health. Her husband's wrong act was discovered and he was arrested. The prosecutors were informed as to the unusual circumstances of the case, but they refused absolutely to relent or to recommend the prisoner to the mercy of the court. On investigation, we found that the young man had always borne a most excellent character, and more than twenty-five letters and affidavits telling of his honesty and trustworthiness were obtained and presented to the court by this Association. In addition to this, the judge whose duty it was to pass sentence upon the man, was fully informed as to all the facts and circumstances in connection with the case. He agreed with me that the case seemed to be a proper one for the exercise of great mercy because of extenuating circumstances, but said that the complainants were also entitled to consideration and were entitled to the law's protection.

A way was finally found to reach the complainants, and after friends had made full restitution of the value of the stolen property, they joined the Prison Association and the prisoner's family and friends in an application to the court for extreme clemency. After considering the case for some time, the judge paroled the prisoner under a suspended sentence, in the custody of the Association. He had a hard time in obtaining work, but is now in a good situation and reports to our office every month.

A WIFE AND BABY.

In passing through the prison pens at the court, I noticed a frail little woman with an infant in her arms; she was crying, and a man who sat beside her was trying to comfort her. The baby was laughing at a burly court officer who had attracted its attention. I stopped, and then saw that the woman was little more than a child and that the man who was her husband,



Isolation Ward, Clinton Prison, Dannemora, N. Y.





Isolation Ward—Clinton Prison, Dannemora, N. Y.





1. - 1st Ward, Children's Hospital, New York

was totally blind. The man and his wife were jointly indicted for grand larceny. He was eventually convicted and sent to the Penitentiary for three months, and the wife discharged, to be cared for by the Association. She was but nineteen years of age, her baby two months old, and her home was in Philadelphia. She was sent to that city, and has written to the Association several times to say that she was with her mother making a good living at dressmaking.

THE VALUE OF A GOOD REPUTATION.

A Jewish boy whose appearance was the reverse of prepossessing was convicted of petit larceny by a jury, and because of his youth, the verdict was coupled with a recommendation to the mercy of the court. The poor fellow could not speak English and, as has been said, his appearance was against him. With the aid of another prisoner in the Tombs I communicated with him and learned that he had not informed his friends as to his whereabouts, because he was ashamed to have them know he was in prison. Inquiry among them proved that he had been in the United States two years, and during that time he had been employed as collector by a baker who had trusted him with hundreds of dollars and never lost a cent. Other evidence tending to show that he bore a good character was secured, which had it been brought out at his trial, would probably have secured his acquittal instead of conviction. In addition to this merchants and friends in the neighborhood said he was an honest boy who had worked hard to support his widowed mother and four little brothers and sisters. When these facts were placed before the judge, he acted favorably on my request that the prisoner be released on probation under suspension of sentence.

A MINISTER'S SON.

A minister's son, accused of stealing clothing from a boarding house and pawning the goods to buy liquor, came to my notice. As he was but twenty-two years old and was undoubtedly penitent, it seemed as though he had learned a lesson and that prison life, association and contamination would only complete the evil work which the craving for intoxicating drink had started. In-

vestigation showed that he came from an excellent family, residing in a western city, that his parents were heart broken at the prospect of their boy being sent to prison and that his brother, employed in a New York city business house, was willing to make complete restitution to the complainants. The facts were brought to the attention of the court and a suspension of sentence secured. When the property had been restored to its rightful owners, the young man was sent home to his parents.

The father sent the following letter:

DEAR SIR,—I wish to thank you most heartily for your kindness to our unfortunate boy. It has been a great sorrow to us that so promising a boy should take the course he has. He has no criminal instincts, but for the sake of drink, it seems he will risk everything. Since you have shown your kind heart, I would still further trespass by asking you to advise his oldest brother what is best to do. It is impossible for me to go to N. Y. to look after him, so I have to depend upon my eldest son to act for me and I want him to have the benefit of your experience.

A BOY OF SEVENTEEN.

Lured from his home in the South by a wicked woman, a boy of seventeen years asked my help in regaining his liberty. Investigation revealed the fact that the woman gave the boy a watch to pawn to purchase needed clothing. A day or two later on hearing that he had been seen in the company of another girl, she accused him of stealing the watch. After his arrest, her anger cooled down and she expressed sorrow for the boy. The boy was finally released on probation in the care of the Association and was sent immediately to the home of his parents in a southern city, safe from the designing creature who had almost succeeded in accomplishing the utter ruin of the boy.

AN EXCEPTIONAL SHOP-LIFTER.

Among the large number of persons paroled to the care of the Association, was one of a woman who lives in New Jersey who is the mother of five children and has a paying business and money in bank; yet temptation proved to be too great, and she

succumbed as easily as if poverty had been the actuating motive. She visited the department stores of Sixth avenue, made a number of purchases, and in one of them, thinking she was not watched, secreted a silk petticoat under her wrap and was arrested. Bail was obtained and every effort made to settle the case. She was finally compelled to plead guilty, and on her promise to keep out of similar stores in future, she was released on a suspended sentence and paroled in the care of the Prison Association.

After reading the figures and facts above, our readers, we believe, will agree with Judge Foster, of the Court of General Sessions, that the work of this Association "makes a very satisfactory showing, and Mr. Kimball is certainly entitled to great credit for the work that he does."

PAROLE WORK.

The Prison Association of New York is the agent in Greater New York for the New York State Reformatory at Elmira. All young men discharged from that institution and sent to Greater New York are placed in the custody of this Association and are obliged to report every month at our office until they receive their absolute discharge. The method of parole is as follows:

Each prisoner committed to the reformatory is obliged to attain a certain number of marks before he is eligible for conditional liberation. These marks are based upon his record in the shop, in the school, and his general deportment. When he is eligible for parole, his case is considered by the board of managers, sitting as a parole court, and if deemed advisable, he is placed on the eligible list. Before he can receive his parole, however, he is obliged to have some assurance of work from some reputable person or firm outside. Such offers are generally secured by the family or friends of the prisoner. They are submitted by the superintendent of the reformatory to this Association for investigation and report. If the report is favorable, the parole is granted. The conditions of parole are in general that the person shall lead a sober, honest and industrious life, and he is expected to save money from his earnings

and to make a detailed report each month, in writing, which he presents personally to the agent at the office of our Association. After verification, the report is transferred to the superintendent of the reformatory. The paroled prisoner is at times under the authority of the superintendent of the reformatory, who may issue a warrant to secure his return when the facts seem to justify it. It is part of the work of the agent of the Association to visit the paroled men and secure satisfactory evidence that they are conducting themselves as law-abiding citizens.

The report made by our agent on parole work for the year ending December 31, 1902, is as follows:

Number paroled in the custody of the Association.....	1
Absolutely released	1
Warrants were issued for.....	1
Returned on warrants.....	
Disappeared, without proof, however, that they returned to a criminal life.....	
On parole December 31, 1902.....	

Taking the whole number for whom warrants were issued (118), it is seen to be 27 per cent. of the total number of the paroled, leaving 73 per cent. of whom it may be said with much positiveness that they are doing well. But many of these warrants are issued simply for failure to report. There is reason to believe that nearly one-half of them are of this nature. Investigations made in some such cases have shown that the prisoner changed his residence, left the State or accepted some better opportunity of employment without waiting to get formal permission from the superintendent. While this is a violation of the conditions of parole and renders him liable to be returned to the reformatory, it is not in itself a proof of relapse into crime. Making allowance for these cases we cannot be accused of undue optimism when we say that from 75 to 80 per cent. of the paroled men are doing well.

DISCHARGED PRISONERS.

The Association continues to extend the aid to many prisoners who are not placed on parole, but are discharged from jails and penitentiaries on a definite sentence. A special agent of the Association regularly visits Blackwell's Island and the King's county penitentiary in Brooklyn to counsel and aid those who are about to be discharged. Many such prisoners only need an extension of a helping hand and a helping word to encourage them to start anew in some course of life which has been but temporarily interrupted by their confinement. In other cases food, shelter and clothing are supplied by the Association and the man is tided over until he can find work. The report of the aid department for the year of 1902 is as follows:

ANNUAL REPORT OF THE

	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
Men registered from New York County Penitentiary.....	32	41	31	18	16	18	20	16	14	17	23	18	264
Registered from Sing Sing.....	6	7	11	5	2	3	1	1	1	3	4	3	47
Registered from Auburn.....	5	6	4		3	1	2	3	1	2	3	1	31
Registered from Clinton.....	7	3	7	3	1	2	1		2	4	6	2	36
Registered from Kings County Penitentiary.....	3	1	8				1	3	4	7	6	9	43
Paroled in care of Association.....	35	31	34	29	36		37	29	34	35	36	39	399
Registered from other prisons.....	12	10	9	14	10	4	6	5	1	5	8	6	90
Total number registered.....	100	99	104	70	68	52	68	57	57	73	86	78	912
Number of men given tools.....	5	9	12	3	9	6	8	4	7	9	6	6	85
Number of days' work done in building.....	184	196	176	83	91	79	64	48	47	57	63	69	1,157
Number of men sent to their homes.....	8	7	9	2	4	7	5	3	4	5	5	8	1,167
Number of men discharged to steady work.....	36	47	44	32	18	19	23	16	13	19	29	16	312
Number of garments distributed.....	191	205	137	69	73	84	59	31	26	42	59	67	1,043
Lodgings.....	181	220	232	177	146	114	121	119	62	121	207	94	1,812
Meals.....	562	496	488	236	321	342	317	437	266	362	507	307	4,641
Books sent out.....	300	200	350	175	400	900	640	470	250	375	300	500	4,860

GRATEFUL LETTERS.

That the work of the Association is not unappreciated by our beneficiaries and their friends is shown by the many grateful letters we receive. Some of these letters are not correctly spelled and grammatically perfect, others show a high grade of intelligence and training. Letters come to us from all parts of the country. A grateful writer from Minneapolis, Minn., says:

"No doubt you will be quite surprised to see this letter, but I am a brother of G—— J——, with whom you are well acquainted, and for whom you did so much. I have been intending to write to you for a number of weeks, but have been delaying it for no particular reason except that I wished to write you something bright and cheerful in regard to G——'s present condition. He is employed in a printing establishment, lives at home with his mother. His behavior and general deportment is excellent, and we are all delighted to inform you who have been his friend of this good standing. I as well as all my people appreciate what you did and know how kind you have been. The gratitude we owe you we hope some day to show more effectively."

An affectionate mother says:

"I write you a note to thank you for your kind interest you have shown my son. I thank God that he has had a good friend in you. God will bless you for what you have done for his mother in taking care of her son."

A gentleman writing from the Pacific Coast says:

"My home affairs required that I should return here, but I regret that I did not have an opportunity to express my heartfelt thanks to you and the noble Association you represented for your humane Christian action in behalf of my unfortunate son. Words are inadequate to express my gratitude to you. May the good God shower blessings upon you and bless you all your life, and may the influence and power of the Association continue to grow and become a great factor in the community for the reformation of young men and the lessening of crime."

THE BATTLE WITH TUBERCULOSIS IN PRISON.

In the modern battle against tuberculosis it is worth while to record every notable victory, less for the encouragement of those who are leading the fight than to secure for them the

moral and material support which are necessary. While public attention has been called to the needs of the poor, and public and private generosity have been applied to their relief, less attention has been given to the treatment of tuberculosis in penal institutions. The State of New York, however, has led the way in providing the first isolation wards for the treatment of tuberculous prisoners. The results obtained have been remarkable.

One of the three State prisons is located at Dannemora, in the Adirondacks, N. Y., where the climate has proved to be favorable for the treatment of tuberculosis. The prisons at Auburn and at Sing Sing have been unfortunately too favorable for the development of the disease, the absence of sunlight and the prevailing dampness of the latter prison, rapidly developing consumption in susceptible patients. For some years it has been the custom to transfer such prisoners to Dannemora. From 1891 until the present time 796 cases of tubercular disease have been transferred to the Clinton Prison. During the first five years, from 1891 to 1895, inclusive, there was no particularly systematic scheme of transferring or caring for these men, and the subject of tuberculous disease in prisons had received but little attention. During this period the total number of deaths from tubercular diseases as recorded in the published reports, was: Sing Sing, 86; Auburn, 133; Clinton, 34; total, 253. During the succeeding five years a more or less systematic endeavor was made to transfer all the tubercular cases and give them special treatment and isolation in so far as was possible. During this period the number of deaths in Sing Sing was 23, in Auburn 27, and Clinton 22, or a total of 72 deaths. Thus showing an improvement of 71 per cent. in the second period over the first in the death rate.

This remarkable result led to the fixed policy on the part of the Superintendent of Prisons, Mr. Collins, to continue to transfer tuberculous cases to Dannemora as fast as they could be cared for. Up to last year no special means for either care or isolation was provided, and the problem for caring for so many diseased men became a grave one. A small appropriation of \$2,500 was obtained, and an extension or additional ward for

the treatment of tubercular cases was constructed. In connection with this ward is an exercise court or small park, having a clump of trees for shade in the excessively hot weather. It is furnished with benches and with spring water for the accommodation of this class of patients, and they are kept in the open air as much as is consistent with prison environment. Dr. J. B. Ransom, the physician, is one of the highest authorities on tuberculosis in this country, and in addition to the usual medical treatment he is applying the X-ray and "light" treatment with excellent results.

The new ward for tubercular patients was opened July 8, 1902. It accommodates 43 patients. Taken in connection with the old isolation ward of 11 beds, the total capacity is 54 beds. The whole number of tubercular cases under observation and treatment last year was 294. The number of cases remaining in prison October first was 218. Dr. Ransom cannot be accused of exaggeration when he says: "This number, so largely in excess of hospital accommodations, constitutes a most striking appeal for a separate building with at least 500 bed capacity for this class of patients, the number of which must be greatly increased under the present system of transfer to this institution. There should be no time lost in providing ample accommodations for the tubercular convicts of the State."

By way of comparison of results it may be stated that the death rate from tubercular disease at the Blackwell's Island Consumptive Hospital, opened in February, 1902, as shown by the commissioner's report, for a period of about two months, with a tubercular population of 245, was 76 deaths or 31 per cent. The report of the United States Marine Sanitarium for the treatment of tuberculosis, located at Fort Stanton, N. M., shows a total number treated of 303 cases, with a death rate of 14 per cent. during a period of two years, and the Army Sanitarium, located at Fort Bayard, N. M., for the treatment of tubercular subjects, with a total number of 568 treated, had a death rate of 16 per cent. during a like period of two years. During the year 1902 Clinton Prison contained a tubercular population of 294; death, 11; giving a death rate of .033742.

position after trial reveals at once the imperfect traditions of our law and practice. The assumption that imprisonment is the only disposition to be made of the offender is arbitrary and irrational. It has already been demonstrated after several years of trial in various States and countries, and as applied to every form of offence, except capital crime, that the suspension of the sentence and the release of prisoners on probation are vastly more corrective than imprisonment for first offenders, since statistics prove that a much smaller number of those placed on probation return to crime than of those committed to prison. The statistics of France and Belgium have demonstrated that of many thousand prisoners placed on probation but five per cent. default and are re-arrested. Investigations made by the Prison Association of New York with reference to 169 cases placed on probation in its charge during the last year, and all guilty of State Prison offenses, show that ninety per cent. are doing well. There is no prison system which can show equal results. We have here conclusive proof that for first offenders probation should be the first step in correction. Though a simple suspension of sentence is effective it is made more so by the appointment of probation officers, whose investigations furnish information to the judge, and who exercise surveillance over the probationer committed to their custody. In cases where fines are imposed, the opportunity given to the probationer to earn and pay the amount of the fine is more rational than the familiar practice of committing him to a prison where he earns nothing and where he may even be a charge on the taxpayer.

When probation fails with the first offender, it is then necessary to restrict his liberty. But the assumption that a mere deprivation of liberty will of itself improve the character of the offender, is one of the great blunders of our penal system, and is responsible for the commitment of prisoners to jails where they lie in idleness for weeks and months in promiscuous and contaminating association. When an offender is removed from society he should be in a place which are essentially disciplinary, and which is not a mere reformatory, but which is corrective and re-





Malvern from Highbury. Malvern, Worcester.



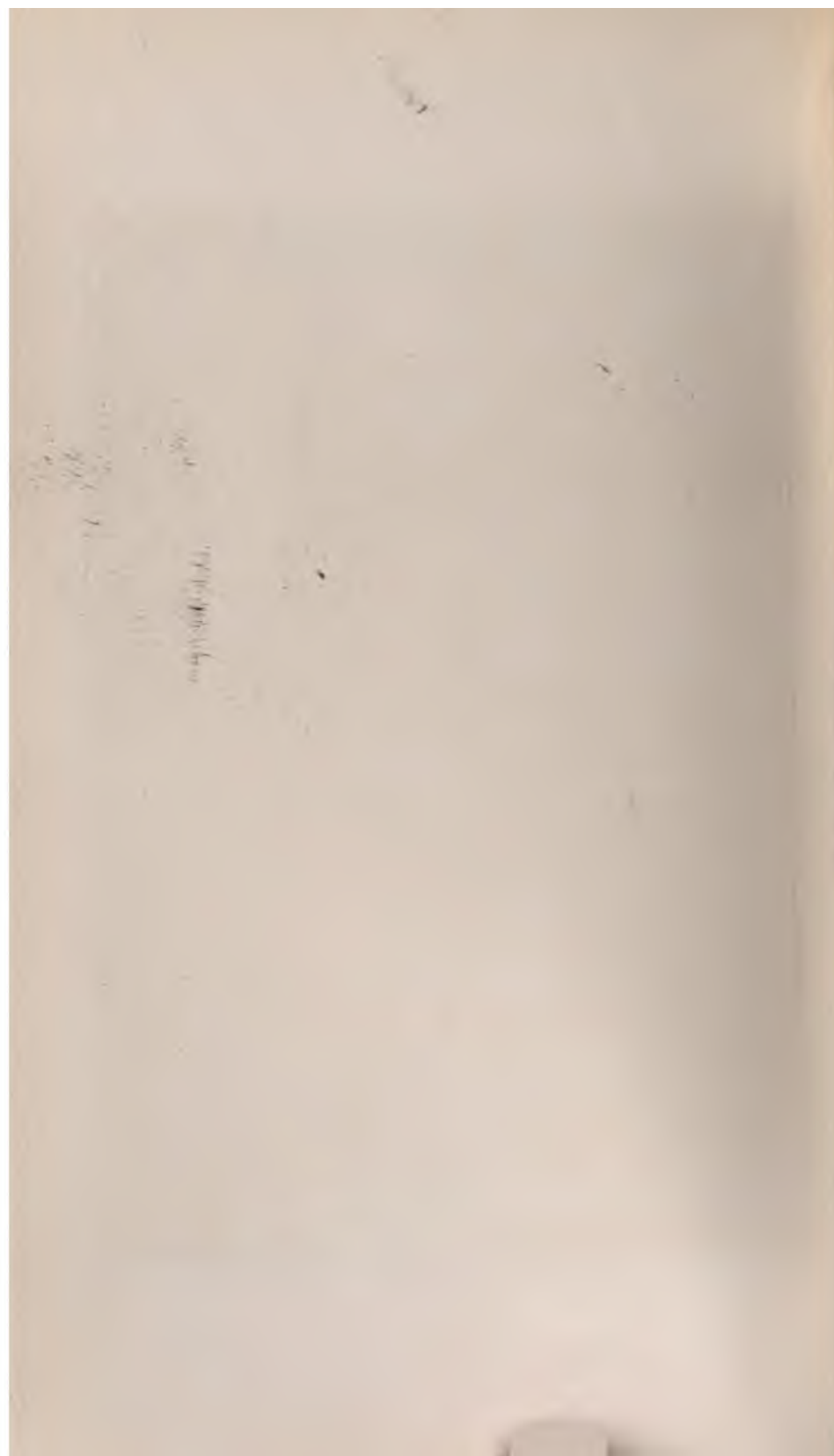






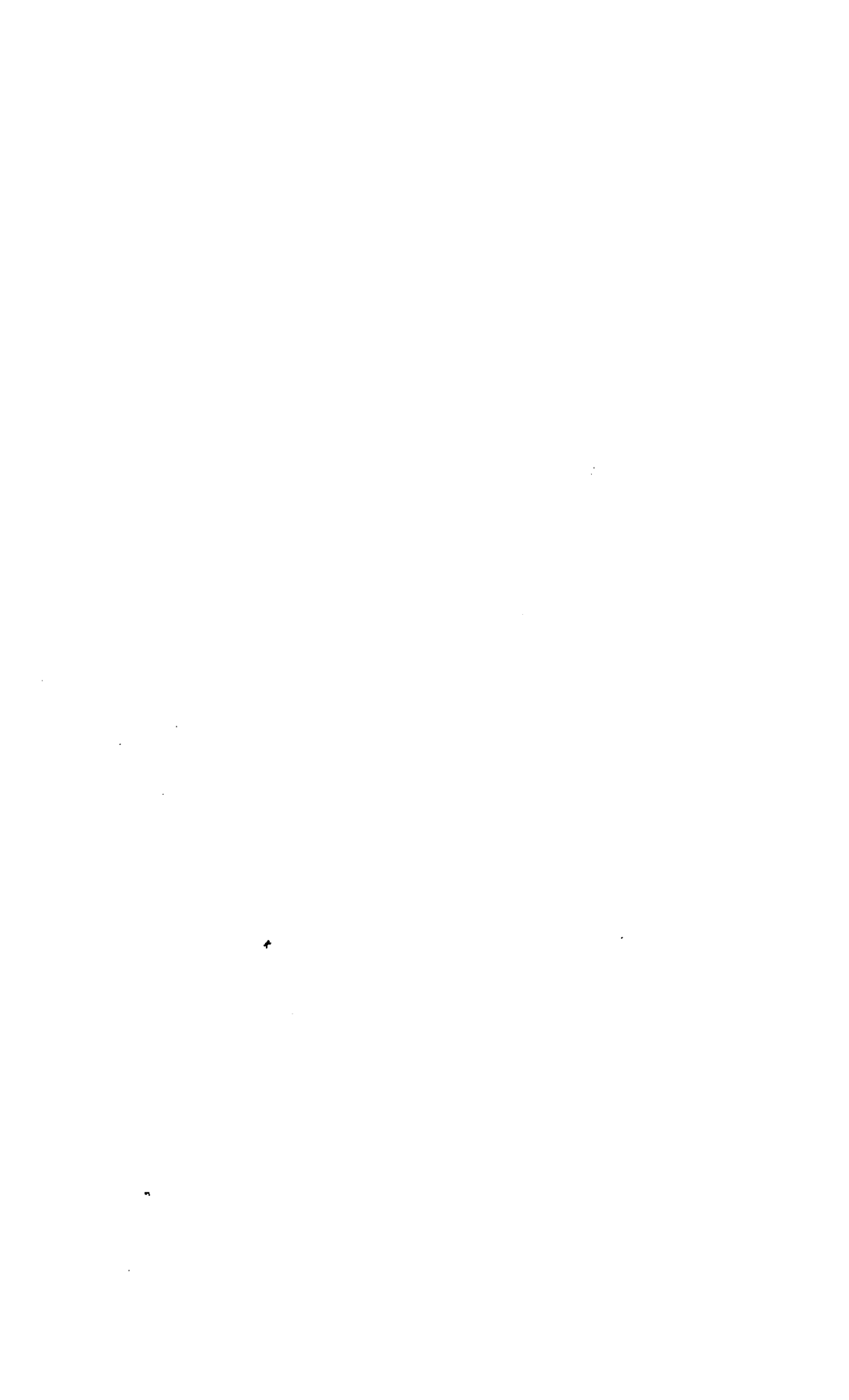
Maternal State Hospital—North Interior Courtyard.







Maternan State Hospital—Day Room for Women.





Matamoras State Hospital—Day Room for Men.





Matewan State Hospital—Dining Room for Women.



Monticowan Hotel, Accepted—Dining Room For Men.

It is one advantage of the indeterminate sentence that if properly applied with conditional liberation it will eventually enable us to distinguish between the corrigible and the incorrigible offenders. For the first, it secures liberation as soon as he is fitted to receive it; for the second, it provides the only remedy which is adequate for the protection of society, namely, the prolonged detention of the persistent offender.

There are many unsolved questions in the field of penology, but they relate mostly to methods and details. Among the great regenerative forces is that of intelligent and fruitful labor. Without exception, prison congresses, national and international, have emphasized the absolute necessity of labor for prisoners. There is much difference of opinion as to how it shall be applied and administered. It is a question largely influenced by considerations of climate and of available industries. Without attempting to decide in favor of special systems, it may be said that ideal conditions of prison labor are secured when the prisoner is employed in industries which are both educative and productive, in which discipline is not disturbed, in which by the labor of the prisoner the State is reimbursed for his support, and in which the prisoner himself secures a share of his earnings. Though competition cannot be wholly extinguished, that form of prison labor is to be preferred which is either so diversified, or else so concentrated by the appropriation of a single industry as to produce the least disturbance in the market for free labor. The Scylla and Charybdis of two extremes should be avoided — that in which the State uses its criminals as a means of financial profit without reference to their reformation; and that in which the State condemns its prisoners to prolonged idleness, still less favorable for their redemption. In the selection of labor for prisoners that form should be chosen which will do most to fit the prisoner for self-support when at liberty.

In this brief report we can enter into no details of prison administration or questions of physical environment; of dietaries, discipline and classification. All these matters are subordinate to the supreme question of the principle which should govern our penal system.

The care and discipline of criminals is not a matter of private charity; it is a function of the State. But in a country like our own, in which the State represents the will of the people, it must also represent their conscience, their intelligence and their heart. Behind the machinery of the administration must be the motive power of a great public sentiment summoning its officers to do justice and to love mercy. For the State to take offenders who are capable of redemption and commit them to conditions which turn them into hopeless criminals, is for the State to become a partner in the promotion of crime. To corrigible offenders society owes, for its own sake and for theirs, the application of every influence, physical, intellectual, moral and religious, which can bring about reformation. The multiplied agencies of education, the incentive to hope, endeavor, ambition and ultimate reward should be brought to bear upon the delinquent, involving the entire reorganization of his life, the training of his hand, the development of his will, the quickening of his intellect, the awakening of his conscience, the unfolding of his religious nature; in short, his correction and redemption. For this task great forces, divine and human, are placed at the disposal of the State, and the State which neglects to invoke and apply them imperils its own social health and development.

SAMUEL J. BARROWS,

Chairman.

SHIRLEY BRAGG, *Alabama.*

C. H. BUNDY, *Indiana.*

JOSEPH P. BYERS, *Indiana.*

S. A. HAWK, *Georgia.*

CHARLES HUTZLER, *Virginia.*

THOS. W. HYNES, *New York.*

CHARLTON T. LEWIS, *New York.*

W. P. LYON, *Wisconsin.*

J. L. MILLIGAN, *Pennsylvania.*

WARREN F. SPAULDING, *Massachusetts.*

HANNAH G. SOLOMON, *Illinois.*

J. L. TAIT, *Illinois.*

JULIA A. TUTWILLER, *Alabama.*

THE INDETERMINATE SENTENCE.

BY THE HON. JOHN FRANKLIN FORT, JUSTICE OF THE SUPREME COURT OF NEW JERSEY.*

When it shall come to be accepted that punishment for crime is solely for the purpose of preventing future offenses, the introduction of remedial methods will become easy. The Supreme Court of Illinois declares that the object of punishment can be attained only in one of three ways:

1. By the amendment of the offender.
2. By deterring others through his example.
3. By depriving the guilty of the power to do further mischief. *People v. Reformatory*, 148 Illinois, 413.

The first and last of these objects are the ones in which we are most interested in this discussion. With the deterrent effect of punishment, which is the only relic of the old belief in the three objects as stated, we have little to do. If I were to discuss it at all, it would be to attempt to establish that it was no longer useful to send a man to prison for stealing a horse in order that others may be prevented from stealing horses. When a man gets to the state of mind in which he will steal horses, the fact that some one else has been punished for it will have little, if any, influence upon his actions, and, for the man who has no impulse to steal, the fact of the punishment of another for so doing is utterly inconsequential.

To rightly get at the method of dealing with offenders, we must bring ourselves in position to see that it is not the man, but, rather, his mental, moral and social condition with which we have to deal. We shall attain more important results for good through efforts to prevent or overcome the evil effects of heredity, environment and ignorance in man than through confining him for the consequences which flow therefrom. The great problem of penal reform is to be settled by the application of the homely adage, "An ounce of prevention is worth a pound of cure."

*An address before the National Prison Congress at its annual session, Philadelphia, Pa., 1902.

My paper is to consider one of the modern suggestions for criminal reformation, namely: "The Indeterminate Sentence"—so called. Several States have adopted it in committing offenders to a part, if not all, of their penal institutions. New York, Massachusetts, Ohio, Illinois, Indiana, New Jersey, not to mention others, are among the number. The New Jersey act was adopted in 1901, and, as it is the latest expression of the form, or statutory declaration, of an indeterminate sentence, I will give it. It reads: "The courts, in sentencing to the reformatory, shall not fix or limit the duration of sentence, but it shall not, in any case, exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced, and may be terminated by the managers of the reformatory, as herein provided." The act proceeds to give the managers power to make rules and to release the prisoners on parole in accordance therewith; the prisoner to be in the custody of the managers, subject at any time to be recommitted to the reformatory for the violation of his parole; and, in case of a retaking, the time out will not count on the term of service. It will be noticed that there is no required minimum term of sentence, as, I think, is found in all other States. In New Jersey, the power to discharge at any time after the prisoner is received or to hold for the maximum term of possible punishment, fixed for the offense of which the prisoner was convicted, is absolute.

This statute will raise all the legal and other questions so much discussed under this form of sentence. Is a statute which fixes a term of imprisonment dependent upon the will of a body not judicial constitutional under our triple form of government? I shall not enter into a long discussion of this question. All the State constitutions, I think, contain clauses in form about as follows: "Cruel and unusual punishments shall not be inflicted." "The Governor may remit fines and forfeitures and grant pardons after conviction in all cases except impeachment;" and the usual clauses of the division of governmental powers into legislative, executive, and judicial, with the clause that "the judicial power" shall be vested in certain named courts.

What punishment may, or shall be inflicted, always has been fixed by the legislative branch of government. True, it usually has left to the court, within certain fixed limits, the definite amount of the fine or term of imprisonment, but the contention that it must do so hardly can be sustained. There is no decision coming within my observation which holds that the Legislature may not fix a definite and arbitrary penalty for every offense created by a statute if it so wills. If it can require, that the court fix and make certain that which is uncertain, and impose such penalty when so fixed, why may it not require the imposition of a definite sentence?

There is nothing cruel or unusual about a sentence to the penitentiary or reformatory for the maximum period fixed in the statute for the offense of which the offender stands convicted. That always has been within the power of the court. When such a sentence was imposed under the old method it was much more cruel than under the new. Now the offender may get out within a tenth of his term. Then he must stay for the whole thereof.

Nor does the power of discharge at any time on parole conflict with the power of pardon. The two things are quite different. The supreme court of Pennsylvania (*a*) has stated the difference clearly. It said, "pardon operates directly upon the crime and only indirectly on the criminal." Pardon is not to let one free from prison; it is to wipe out the effect of the crime. But it is unnecessary to consider this question further. In all the States, except in Michigan, (*b*) in which the constitutionality of this class of legislation has arisen, it has been sustained. Ohio (*c*), Indiana (*d*), Illinois (*e*) and Massachusetts (*f*) have passed upon it by their highest courts.

(*a*) Commonwealth v. Halloway, 42; Pa. St. 448.

(*b*) People v. Cummings, 88; Michigan, 249.

(*c*) Peters v. State, 43; Ohio, 629.

(*d*) Miller v. State, 149; Indiana, 607.

(*e*) People v. Reformatory, 148; Illinois, 413.

Genge v. People, 167; Illinois, 447.

(*f*) Conlon's Case, 148; Massachusetts, 168.

Commonwealth v. Brown, 167; Massachusetts, 144.

The opinion in Michigan was delivered in 1891. Only Ohio then had passed upon the question and its decision was by a divided court. In the light of events, the following extravagant language, taken from the opinion of the judge who spoke for the majority of the court in the Michigan case, is not without interest: "I have not," he says, "sufficient words at my command to use in condemnation of this statute. It would fill our State with convicts—they could not be called freemen—running at large outside our prison walls, all liable at any moment to be taken back inside, at the will of four individuals, no better, possibly, in their impulses and caprices than the average man." Reading this quotation only eleven years after it was uttered, it sounds almost ludicrous. The history of the parole law in Michigan, which they evidently have operated, irrespective of that decision, seems to refute every statement in that quotation. The Governor of that State, in 1898, advised me, through the prison authorities, that up to that time 128 prisoners had been paroled, and that, at that time, only fifteen still remained on parole and only nine had ever violated their parole—all the others had received honorable discharges. Of the nine, eight had been returned to prison, and one was in Ohio, serving a sentence for larceny. It would be difficult to find a more crushing rejoinder to the prediction of the Michigan court of the terrible consequences of permitting prisoners to be out under a parole law than these facts.*

Up to this time, so far as I know, no State has applied the indeterminate sentence to persons confined in all of its penal institutions. Given the right conditions, and an impartial non-partisan tribunal to control discharges, I would favor its application to all offenders. I would go still a step farther. I would have neither the minimum nor the maximum term fixed by statute, and, possibly, not by the sentencing court. The proper way to cure those who are really criminals is as you cure other diseased persons—namely: Keep them under treatment until they are cured, or at least so nearly cured that they may be discharged safely.

* The State of Michigan by a special vote of the people in Nov. 1902, amended its Constitution so as to enable its legislature to pass indeterminate sentence laws.

We constantly hear the statement that criminals are on the increase. I do not think that it is true, but, if it is, the legislatures are responsible for it, and, possibly, in some respects careless judges. Acts made crimes to-day are tenfold as many as they were at common law. Every Legislature that meets, in any State, makes two or more new offenses crimes. Thousands of men are annually jailed, awaiting trial or otherwise, for offenses which are crimes simply because they are made, by statute, *mala prohibita* and which have nothing in them which is *malum in se*. They are not crimes arising from a bad heart or a criminal disposition. The confinement of such persons in prison, with the loss of self-respect entailed, the incidental disgrace, and, worse than all, the possible intercourse with professional criminals, leads them into real crime. No man committed for an offense, which does not involve moral turpitude should ever be confined with a man tainted by a crime that does.

It seems to me that the indeterminate sentence should apply to the habitual criminal, for many reasons. If it is true that criminal tendencies are hereditary, that contact with the criminal induces others to enter the life; if it be true that his moral nature is diseased and that his criminal tendencies are uncontrollable—and many expert scientists so teach in these days—then why let him be at large at all? The State has as much right to protect itself from the criminal as from the dangerous insane. A confirmed criminal should not be permitted to perpetuate his species, to contaminate his fellows, or to go abroad while his moral nature, irresistibly or pervertedly, leads to depredations upon society. Such an one should be confined until cured, or apparently cured, and then only discharged under parole, with power to retake him upon a relapse into crime, and, hence, a violation of the conditions of his parole.

Probation and indeterminate sentence for first or youthful offenders is past the experimental stage, and is, in several States, a fixed policy. It is only a matter of time when it will be so in all. A reform of this sort, which proves successful in operation, is irresistible, and will, ultimately, by its own force, extend to all the States. As the indeterminate sentence system

extends, and is enlarged, it will, I fear, be found that uniform methods of discharge under it will be demanded. A board of managers of a penal institution is not always the safest body with which to leave the liberty of the prisoner. Even though it be constitutional and otherwise legal to confer upon the managers of a penal institution the power of discharge, is it not of doubtful wisdom under our form of government? Is it not a matter of serious concern whether a "Court of Discharge" should not exist in each State, having judicial power of inquiry and action? If it could be certain that no conditions that were political and non-judicial would control the board of management, the power might be lodged safely with them. But is not the temptation too great from the possibility of political influence which such a power to discharge carries with it for us to hope that it will be exercised always with the sole object of promoting the good of the prisoner? Would not both the public and the prisoner feel safer in the hands of an impartial tribunal in which was lodged the ultimate decision as to a discharge?—a tribunal with power to hear the whole matter and with the sole power to remand into custody for cause. Should not a man have the right to be heard on the question of his remand into custody? I would not take from the managers their power of initiative as to release. I would require all applications for release before expiration of term to come through them, but if they refuse to permit an application for parole after a reasonable term of service, that the court might consider it, I would give the prisoner the right of review and of a hearing before the Discharge Court. This court could be composed of a judge, designated by the Governor, and of the several wardens of the penal institutions of the State, or a majority of them. The judge should be president of the court, and no prisoner, once discharged, should be remanded, except upon the order of the President of the Discharge Court, made upon verified facts, duly presented and filed as a matter of public record. The plan here suggested may not be the wisest, and further reflection may devise a better, but, in the interests of absolute impartiality and assured public confidence—which are essential to the permanence of

the system—it seems clear that some such protection should be thrown around it.

Let us, then, strive for the permanent establishment, under proper safe-guards, of the indeterminate sentence feature in the penal system of the Federal and State governments. With it will come enlarged possibilities for the scientific study of criminology and the criminal. When we shall have attained this, there will have been ushered in a new and enlightened method for the reduction of crime, namely, the study, reformation and elevation of the individual man.

NEW CRIMES AND PUNISHMENTS.

BY SAMUEL J. BARROWS.

The curiosities of law-making are as singular in their way as those of law-breaking. It is strangely curious, for instance, that the people of China should have been the unconscious and indirect cause of making a most notable change during the last year in the criminal legislation of the State of Kentucky. For it is owing to the relations which Kentucky now holds to the people of China that this State has passed the severest law concerning trespass that has yet been enacted on the statute books of any of our States. Hitherto the trespasser on private property, the man who, without permission, invades an orchard or a garden, whether on foot or horseback, is regarded as a felon and to send him to prison for from one to three years. Hitherto that State has been content with fences of any suitable material four and a half feet high, or with broad ditches flanked by low fences; but the fences hereafter to be erected against the felonious trespasser are to be seven feet high, whether of wire, board, picket or stone.

And all this means that a new industry has been introduced into the mountains of Kentucky by the establishment of ginseng gardens. The ginseng is a small aromatic plant, which is regarded with a superstitious veneration by the Chinese on account of its supposedly curative properties. Its virtues are presumed to verge on the miraculous. Inasmuch as China cultivates the superstition, Kentucky has determined to cultivate the plant. This does not mean the advent of a new medical cult in Kentucky, but that some of its enterprising farmers have an eye to business. A limited supply in China raises prices to a fabulous height, not rivaling the tulip mania in Holland, but still sending up ginseng root to \$60 a pound. At present the wholesale price in the New York market is \$7 a pound, and at that rate it would yield a good profit. In order

to protect it under cultivation a new trespass law has been framed. In addition to the prescription of a seven-foot fence, which seems to be somewhat prohibitive in itself, and which only a blue-ribboned Kentucky hunter could take without scraping the soil from his hoofs, a mystic sign-board on the premises (12 x 24 inches) must contain the laconic word "Posted." To the eastern poacher this single word would be something of an enigma, but in Kentucky it is the customary form of notice that hunting is prohibited. In the east the trespasser is warned not to trespass under penalty of the law. In Kentucky this single word is the terse survival, I suppose, of a common legal requirement that notice against trespass "shall be posted."

Thus, without knowing it, the Chinese are the indirect cause of another exclusion act—this time for their own benefit. How the eyes of the Chinamen who are confined for some months in the jails of our frontier for trespass on the soil of the United States will twinkle with malicious satisfaction when they learn that the sacred plant of China has rendered the sacred soil of Kentucky inviolable, and that the Kentucky huntsman who enters such a garden without permission must be excluded from Kentucky society for from one to three years and stigmatized as a felon!

If we shall notice during the next year a large migration from Kentucky to Rhode Island, the reason will not be far to seek; for, while Kentucky was passing a law making trespass a felony, Rhode Island was engaged in passing one providing that the penalty for trespassing on land where "notice was posted," for purposes of shooting and fishing or trapping, should be \$20. But the new immigrant from Kentucky will find that Rhode Island does not mean to be trifled with in matters of malicious mischief, for it has increased its \$20 fine for this offense to \$100, and made the imprisonment a year, instead of three months.

After having reviewed the legislation of the forty-five States for the last year with special reference to the tendencies of criminal legislation, I am in better position to answer a question often raised, Is crime increasing? For want of any comparative statistics in the United States, it is extremely diffi-

cult to say whether criminals or wrongdoers are increasing with reference to the population, inasmuch as so much depends upon the vigilance of the police and the existence of the county fee system. In some of our States, notably New York, there has been a remarkable decrease in the prison population. But if we cannot say the criminals are multiplying, we can say with great positiveness that statutory crimes are multiplying from year to year in the United States. Every State Legislature is a law-making factory, and the yearly product is pretty large. Dr. Arthur Cleveland Hall, in his able book on "Crime and Social Progress" very properly maintains that as society advances the categories of crime must increase. Thus as social and civic relations multiply, the standard of propriety and good conduct and of social protection is constantly raised. When such new laws are rigidly enforced we may expect an increase for the time being in the number of offenders until society has adjusted itself to the new requirements. The numerous laws and ordinances against expectoration furnish a simple illustration of this tendency to more rigid standards for social protection. Such statutes soon become educative and the moderation of magistrates in enforcing them has prevented a too rapid increase in the statistics of offenders.

Many changes in criminal law, however, are but changes in the length and breadth of definitions. They are concocted not to confound the criminal, but to confound his lawyer. The vast majority of offenders pay no attention to the theory and definition of the offense before they commit it. It is after they have broken the law that they and their lawyers study to find how much protection they can get out of it, especially through the force of its construction. So a good deal of the annual patching and mending, as it relates to crimes and offenses, represents neither reflections of public sentiment nor attempts to deter the criminal; it is rather the result of judicial sparring and fencing in court. Lawyers who have dreamed that the codification and solidifying of the great mass of statute law in any State would thereby reduce the volume of legislation have been doomed to disappointment. No sooner is a code fairly launched than it must be hauled up on the legislative dry-dock for ampli-

fication or repair. No such catalogue of crimes can be complete under the mercurial variations of public sentiment.

Many changes in criminal law, however, are not changes of definition, but changes of penalty. Thus I find that though there is a constant and gradual extension of the category of crimes and offenses the number of new punishments increases faster than that of new crimes. Any disturbance of the social atmosphere, any marked change in ethical temperature, is sure to register itself very early in the barometer of public feeling through some expression which is either abhorrent or deterrent. The operation of a local gang of burglars may not only move the judges to impose the maximum sentence, but may move legislators to raise the maximum fixed by the law. A remarkable instance of this was the concurrent, the unconcerted, action of twenty-four States, which in 1901 passed laws with extremely severe penalties against abduction. They all grew out of the abduction and detention for ransom of a boy in Omaha, the son of rich parents. The crime was by no means a new one; it is as old as wickedness itself, and goes clear back to tribal society. But though the crime is old, the punishments in these twenty-four States are essentially new. In some of these States the crime was not even recognized as such on the statute books, and under our system of law it is necessary to label the crime before catching and labeling the criminal. In 1902 five more States passed laws with reference to abduction, some of them making the maximum thirty years, and others life imprisonment.

I have noted nine new or amended laws in the various States forbidding offenses against persons, and the tendency to show increased respect for the person appears in raising the penalty in all cases where it has been changed.

As to crimes against the government, notwithstanding the discussion which followed the assassination of President McKinley, and the outburst against anarchy, but four States have passed laws which grew directly out of the assassination of the President. In only two of these, New Jersey and New York, was legislation directly passed relating to anarchy as a movement or organization. In New York, where the crime was com-

mitted, criminal anarchy is now defined as the doctrine that organized government should be overthrown by force or violence. The advocacy of such doctrine, either by word of mouth, or by writing, is a felony; editors are made liable for the publication of anarchistic sentiments, and persons for participating in meetings of anarchists, the penalty being a \$5,000 fine or imprisonment for ten years, or both. The New Jersey law is even more sweeping in its definition. New York extends its ægis over Europe and the other continents, by making it a felony to advocate the assassination of any officer of any civilized State having an organized government.

Examples of patriotic laws which are purely sentimental are found in the recent statutes of Maryland, Ohio and Rhode Island, which, as the result of systematic agitation in various States, have forbidden desecration of the United States flag by using it on advertisements.

There were passed many laws with reference to crimes against property. Some of these, such as that of diverting the electric current, train robbery, the theft of bicycles, etc., are purely modern crimes in form, though not in substance, and from year to year they will find recognition in statute books until they have made the round of the forty-five States.

I have no space to mention in detail the great number of miscellaneous and minor offenses involving sanitary laws, building, liquor, game and labor laws, laws against corporations and the new penalties attached to them. In Ohio there seems to be disposition to crowd out automobilists and bicyclists, for they are now required to leave two-thirds of the road free, instead of one-half. This might be regarded as a victory for the horse, if horseback riders were not required to observe the same rule; so that it is rather a victory for the wagon. In this matter of locomotion New Jersey shows unexpected generosity. While in most States non-residents have fewer privileges in the way of business, hunting, etc., than have residents, and are obliged to pay various taxes to secure them, New Jersey magnanimously says that municipalities may require headlights on vehicles at night under a \$5 penalty, but that this law does not apply to non-residents (presumably of

the municipality). In Massachusetts fines are apparently not sufficiently deterrent for automobilists, and she now adds ten days' imprisonment for exceeding speed limits. Would a cold chill run down the backs of the Puritans if they knew that Massachusetts has authorized the sale of ice cream on the Lord's day, and also soda water and confectionery?

Louisiana has just undertaken to grade misdemeanors and minor offenses, and to fix for them maximum and minimum penalties. The result is as arbitrary there as elsewhere. If one section of the act did not prohibit the lottery business, this term might be properly applied to the verbal dice which law-makers throw into the laws in the shape of penalty. The unit of value as to punishment it is as impossible to find as in other haphazard undertakings. Much attention is paid in the code to various forms of larceny. One form of stealing, however, has not been included in the definition of larceny. It is that of stealing rides on railroad trains. In this case it is not the offender who takes away the property, but the property that takes away the offender. It is, however, made a misdemeanor, a designation whose mantle of definition covers a multitude of sins.—The Independent.

THE LATE DEAN SAGE.

MEMORIAL MINUTE.

Resolved, That the following minute be entered upon the record of the Executive Committee:

The Executive Board of the Prison Association of New York hereby expresses its profound sense of the loss it has sustained in the death of Mr. Dean Sage, who at the time of his decease and for seventeen years, was a member of the Board.

The son of one who was among the precursors of this era of colossal benefactions to institutions of education and charity, Mr. Sage was of a moral type, to which the purpose of this Association made appeal, and he brought into the fellowship of its work and counsel a strong personality and a peculiar energy of mind and conscience.

Those who were in any way associated with him discerned at once the high plane of motive and intellectual habit on which his life moved, and those who came within the inner circle of his life recognized in him, as a dominant note, that sincerity and loyalty of soul which constitutes the art of friendship.

With grateful memory we record this appreciation of our comrade in public service, and our profound sympathy with those whose grief is beyond words.

TREASURER'S ACCOUNT.

FOR FOURTEEN MONTHS ENDING DECEMBER 31, 1902.

Dr.

Donations	\$13,874 74
New York State Reformatory.....	1,400 00
Rents	970 00
Balance in Mechanic's National Bank, October 31, 1901	239 79
	<hr/>
	\$16,484 53

Cr.

Expenses of agency in New York city for dis- charged convicts and persons on probation and under arrest	\$5,604 67
Expenses of State organization, prison and jail inspection and county work.....	5,967 72
Interest on \$5,500 mortgage.....	330 00
Taxes and water rents on No. 135 East Fifteenth street	87 20
Insurance on No. 135 East Fifteenth street.....	31 25
Reserve fund deposited in New York Life Insur- ance and Trust Company.....	1,000 00
Balance in Mechanics' National Bank.....	3,463 69
	<hr/>
	\$16,484 53

CORNELIUS B. GOLD,
Treasurer.

We hereby certify that we have examined the accounts and
vouchers of Cornelius B. Gold, Treasurer, and find them correct.

HENRY E. GREGORY,
EDWARD B. MERRILL,
Auditing Committee.

COUNTY COMMITTEES.

In order to secure proper attention to local conditions, and co-operation with reference to the general prison system of the State, the plan of organization of the Prison Association of New York involves the formation of a corresponding and co-operating committee in each county of the State. The persons in the following counties have accepted such positions and additional lists of members are in preparation.

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C. Clark.	Miss W. A. March.
Mrs. J. Cohen.	Miss K. T. Martin.
Chas. A. Dards.	Mrs. D. T. Merkley.
Mrs. J. H. Emerson.	Mrs. Murray.
Mrs. L. Fisher.	Miss A. M. Murray.
Mrs. E. W. Fitch.	Mrs. Noyes.
A. Foster.	Mrs. Pierce.
Mrs. Leo E. Frank.	Mrs. F. Popper.
Mrs. G. A. Fuller.	Mrs. Henry Prentice.
Mrs. A. W. Gardner.	Miss M. P. Robinson.
L. B. Gawtry.	Mr. Rollands.
W. B. Gilman.	Miss Helen Sands.
Mrs. E. Gruening.	J. H. Savage.
Alexander M. Hadden.	B. F. Saxton.
Mrs. G. Hammond.	Mrs. Wm. Scott.

J. E. Serre.	Mrs. Trowes.
M. P. Slade.	Mr. Turner.
Eugene Smith.	E. B. Van Winkle.
Mrs. H. M. Sperry.	Mrs. J. H. Walker.
Mrs. F. R. Steers.	Henry C. Wells.
Mrs. F. R. Sturgis.	Mrs. Mary A. Wilson.
Miss Isabella Sullivan.	Mrs. J. R. Wolff.
Mrs. H. B. Tompkins.	Wm. S. Wood.
S. L. Townsend.	C. P. Wyckoff.
Mrs. J. F. Trow.	Andrew C. Zabriskie.

DONATIONS OF READING MATTER, ETC.

Mrs. Stephen Babcock.	Mrs. C. W. Lawrence.
M. C. Bishop.	Mrs. A. Lilienthal.
E. C. Bogert.	Miss Minnie M. Mare.
Mrs. Boynton.	A. L. Merriam.
Mrs. E. W. Church.	Mrs. E. B. Merrill.
Mrs. DeGrose.	A. E. Meyer.
F. B. Dickinson.	Mrs. Miller.
Herman Drisler.	Mrs. A. Miller.
John A. Ely, Jr.	O. A. H.
Mrs. C. L. Folsom.	Mrs. G. Pollak.
Mrs. L. Friend.	Miss S. E. Prindle.
F. B. Goodyear.	M. Reed.
Mrs. F. G. Gorham.	Mrs. D. DuBois Sahler.
Miss Hasbrouck.	Mrs. N. Schwat.
Mrs. John A. Hendricks.	Mrs. M. W. Sewall.
Miss Hendricks.	John M. Shedd.
Mrs. W. W. Heroy.	P. S. Solomon.
Mrs. Esther Herrman.	Mrs. S. L. Stix.
Hospital Book and Newspaper Society.	Miss Isabella Sullivan.
Miss N. Isaacs.	M. L. Taylor.
Mrs. George T. Jackson.	Mrs. C. J. Triacca.
Mrs. G. Kembball.	Mrs. F. Von Bermuth.
Miss Kendall.	Mrs. Wetmore.
S. E. Kilner.	Mrs. C. Willcox.

APPENDIX.

CHARTER OF THE PRISON ASSOCIATION OF NEW YORK.

AN ACT to incorporate the Prison Association of New York.

Passed, May 9, 1846, by a two-thirds vote

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.

2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribu-

tion, be a member thereof. A contribution of \$500 shall constitute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall *be duly chosen* in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER,

President.

* See section 24.

STATE OF NEW YORK:

IN ASSEMBLY, *April 24, 1846.*

The bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof,
Resolved, That the bill do pass.

By order of the Assembly,

A. C. CRAIN,

Speaker.

APPROVED, this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW YORK,

SECRETARY'S OFFICE.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,

Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such reports as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

* See section 20 in last revision.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts, and a committee on prison discipline.

VII. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the Association shall be divided into three parts, to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The Endowment Fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the Association, and all legacies.

The Reserve Fund.—The Reserve Fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the Association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe keeping of the sureties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of the Association, subject to check of the treasurer, and shall, whenever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.—The term "General Fund" shall cover all receipts of the Association not constituting a special fund or specified for the endowment fund, the intention being that

all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the Association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary immediately on receipt by him of any sum for the account of the Association that such receipt may be entered at once to the credit of the proper account on the books of the Association.

The corresponding secretary shall be the general disbursing agent of the Association, the object of the provision being to keep in the central offices of the Association all receipts for payments by him for the Association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the Association and then deposited in such bank as directed by the treasurer to the credit of the Association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the Association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the Association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the

credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make at the annual meeting of the Association, a detailed statement of receipts and disbursements for the fiscal year.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences,

taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the Association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the Association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall have charge of the funds of the Association, and shall give such security as the executive committee may require. His duties are more fully defined in By-Law VII.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, ex officio, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

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EASTERN REFORMATORY, NAPANOCH.

FIFTY-SEVENTH ANNUAL REPORT

OF THE

Prison Association of New York.

For the Year 1901.

OFFICE OF THE ASSOCIATION,
135 EAST FIFTEENTH STREET, NEW YORK.

TRANSMITTED TO THE LEGISLATURE FEBRUARY 11, 1902.

ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1902.

STATE OF NEW YORK.

No. 23.

IN SENATE,

FEBRUARY 11, 1902.

FIFTY-SEVENTH ANNUAL REPORT

OF THE

PRISON ASSOCIATION OF NEW YORK.

FOR THE YEAR 1901.

THE PRISON ASSOCIATION OF NEW YORK,
135 EAST FIFTEENTH STREET, NEW YORK CITY,
FEBRUARY 11, 1902.

HON. TIMOTHY L. WOODRUFF, *Lieutenant-Governor, New York:*

Sir.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present herewith the fifty-seventh annual report of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

Respectfully yours,

CHARLTON T. LEWIS,

President.

SAMUEL J. BARROWS,

Corresponding Secretary.

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OFFICERS FOR 1902.

President.

CHARLTON T. LEWIS.

Vice-Presidents.

WM. P. LETCHWORTH, REV. WENDELL PRIME, D.D.,
RT. REV. F. D. HUNTINGTON, ROBERT W. DEFOREST.

Secretary.

EUGENE SMITH.

Corresponding Secretary.

SAMUEL J. BARROWS.

Treasurer.

CORNELIUS B. GOLD, 25 Broad Street, N. Y.

Executive Committee.

Charlton T. Lewis,

F. P. Bellamy,	Gino C. Speranza,
J. Fenimore Cooper,	Richard A. McCurdy,
Austin Flint, M.D.,	James McKeen,
Henry E. Gregory,	Edward B. Merrill,
Alexander M. Hadden,	Wm. Jay Schieffelin,
John W. Hutchinson,	J. G. Phelps Stokes, M.D.,
Samuel Macauley Jackson,	Dean Sage,
Mornay Williams,	Frank D. Pavey,
Wm. H. Gratwick,	J. Seeley Ward, Jr.,
W. W. Battershall,	Evert Jansen Wendell,
J. W. S. Gouley, M.D.,	Patrick Farrelly,
	George C. Holt.

STANDING COMMITTEES.

Law.

George C. Holt,
James McKeen,

Frank D. Pavey,
Gino C. Speranza,

Eugene Smith.

Discharged Convicts.

Alexander M. Hadden,
Wm. Jay Schieffelin,

Edward B. Merrill,
H. E. Gregory,

Patrick Farrelly.

Library.

Samuel Macauley Jackson, Evert Jansen Wendell,
Dr. Austin Flint.

Detentions.

Dr. J. G. Phelps Stokes, Alexander M. Hadden,
John W. Hutchinson, Mornay Williams,
Frank D. Pavey.

House.

John W. Hutchinson, F. P. Bellamy,
Eugene Smith.

Finance.

J. Seeley Ward, Jr., Dr. J. G. Phelps Stokes,
Wm. Jay Schieffelin, Cornelius B. Gold,
Samuel Macauley Jackson, James McKeen.

REPORT OF THE EXECUTIVE COMMITTEE.

The success of the penal system of any State must depend largely upon three factors: wise laws, good institutions and honest and capable administration. In chartering the Prison Association of New York the Legislature had in mind each of these necessary elements. Devolving upon the Association the power of inspecting all penal institutions, it recognized the necessity of a certain standard of structure, organization and administration. In requiring the Association to report to the Legislature, it established an advisory relationship as to necessary and desirable legislation. It has been the aim of this Association to use this power of suggestion both conservatively and progressively. It has sought to guard against the advocacy of laws whose adoption might impair the prison system of the State; it has urged measures which are needed for its improvement and benefit.

During the last session of the Legislature three laws were passed having an important relation to the judicial and penal system of the State. One of these was the probation law, a second a law extending the indeterminate sentence law; the third a conservative parole law, providing for the conditional liberation of a certain class of prisoners in the State prisons. The passage of these measures since the presentation of our last annual report is an encouraging illustration of the disposi-

tion of the Legislature to adopt laws embodying the fruits of experience in this and other States.

THE PROBATION LAW.

The probation law which was urged upon the attention of the Legislature in the last annual report of the Association was promptly drafted into a bill, received careful consideration from committees and was passed with practically no opposition. The law became operative September 1st. Its characteristic feature, as distinguished from suspension of sentence, lies in the great advantage which is given to the judge by placing at his disposal a probation officer, first to make investigations under the direction of the court, and second to exercise a surveillance over those placed on probation. The preliminary investigation furnishes the judge with information which enables him to exercise greater discrimination in imposing or suspending sentence; and subsequent oversight by the officer and the conditions imposed by the court requiring probationers to report at stated intervals, exert upon them a healthful moral pressure. An inquiry recently conducted in the State of Massachusetts by the corresponding secretary of this Association shows that the judges of that State are practically unanimous as to the positive value of probation as an essential part of a judicial system.

Two conditions are necessary for the success of this law: one is the hearty coöperation of the judges; the other is the appointment of intelligent and efficient probation officers. Where there is but a nominal fulfilment of the law, only nominal results can be expected. The judges who have given the new law a fair trial are those who are most heartily in favor of it. As but four months have elapsed since the law went into operation, it

is too soon to tabulate results; but the information lately gained by the Association from probation officers and judges furnishes most satisfactory evidence of the good results already attained. Attention is especially called to the report on this subject of the board of magistrates of the first division of New York comprising Manhattan and the Bronx. (Page 58.)

Experience shows that the best results can be obtained under the system of probation only when the officer is able to give his entire time to the work. The development of experience in investigation, the ability to distinguish first offenders from habitual rounders, the acquisition of the necessary knowledge concerning the environment of offenders, can only be gained by steady and persistent work by the same person at a given court and in a given locality. The long continued training of probation officers is as necessary as the training required for officers in the detective service. The labor of unpaid volunteers who can give but a few hours each week to this work, valuable though it may be as advisory and supplemental to official effort, cannot take the place of the unremitting service of an officer who devotes eight or ten hours a day to visiting jails, investigating cases, attending the sessions of court, and exercising a personal oversight over those placed on probation. The probation officer must be on hand whenever the court needs him.

On the other hand it is eminently desirable to secure the aid of private citizens, both male and female, whose special experience in philanthropic work admirably fits them to advise the judge and to take charge of a certain line of cases. The law wisely makes provision, therefore, for utilizing both paid officers and volunteer workers, and it is gratifying to know that, on the

authority of the board of city magistrates of New York, this arrangement has been successful.

THE INDETERMINATE SENTENCE LAW.

The principle of the indeterminate sentence has been recognized in the statutes of the State for more than twenty-five years. New York may be considered the pioneer State in enacting and applying such a law. It is an essential part of a reformatory system, and is inseparably identified with the administration of the Elmira Reformatory in this State. The success of the law in New York has led to its adoption in several other States, where reformatories based on the Elmira plan have been established.

In passing, therefore, a law at its last session extending in a conservative way the indeterminate sentence to a certain class of first offenders committed to the State prisons the Legislature adopted a measure supported by ample experience.

The provisions are as follows:

“A person never before convicted of a crime punishable by imprisonment in a State prison, who is convicted in any court in this State of a felony, the maximum penalty for which, exclusive of fines, is imprisonment for five years or less, and sentence to a State prison shall be sentenced thereto under an indeterminate sentence, the minimum of which shall not be less than one year, or in case a minimum is fixed by law, not less than such minimum, and the maximum of which shall not be more than the longest period fixed by law for which the crime is punishable of which the offender is convicted.”

It is somewhat surprising therefore in view of the long experience of New York State with the indeterminate sentence to find that certain judges should declare themselves as opposed to

the new law and should impose sentences so as to defeat its object. This is effected by sentencing a prisoner so that there shall be no difference, or perhaps, but a few weeks, between the maximum and minimum period of his sentence. Indeed there have been cases in which a prisoner has been sentenced to not less than one year and not more than one year, making the sentence absolutely definite, instead of indefinite, as provided by law. The effect of such a sentence is to defeat the evident purpose of the Legislature, and to render inoperative any system of grading, marking, or rewards and punishments which might be established by the superintendent of prisons. It deprives the prisoner of the mental and moral stimulus which spurs him to the best effort when he knows his tentative release from prison will depend upon the record he makes while there. In reference to Elmira Reformatory, the law (chapter 378, section 25, Laws of 1900) provides that "if, through oversight or otherwise, a person be sentenced to imprisonment in the Reformatory for a definite period of time, such sentence shall not for that reason be void, but the person so sentenced shall be entitled to the benefits and subject to the liabilities of this act in the same manner and to the same extent as if such sentence had been made for an indefinite period of time in the manner provided by the penal code."

To secure the operation of the indeterminate sentence to State prisoners it may be necessary to insert a similar provision in the law, applying to them, and providing as in chapter 711, section 9 of the Laws of 1887, that "the courts of the State imposing such sentence shall not fix or limit the duration thereof. * * * But such imprisonment shall not exceed the

maximum term provided by law for the crime for which the prisoner was convicted and sentenced."

THE PAROLE LAW.

The parole law passed at the last session has already gone into effect and nearly two hundred prisoners in the different State prisons and the Eastern Reformatory have received the benefit of its provisions. The restriction, however, of the law to prisoners the maximum penalty for whose imprisonment is five years or less, forbids its application to many who would be excellent subjects for conditional liberation. The distinctions made in the code as to the gravity of offences and the varying penalties affixed to them are not safe or conclusive guides as to the character of the offender, and a man who is sentenced for ten years may frequently be a better subject for parole than one who is sentenced for five. Parole in no case should be granted until the prisoner has sufficiently demonstrated by his conduct in prison the reasonableness of granting conditional liberation. The provision in parole laws making prisoners eligible to parole who have served a certain length of time, dependent of course on the approval of the parole board, is far less satisfactory than a provision requiring the attainment through a graded or marking system of a certain standard of conduct and character. Such a graded system is familiar and general in its application to schools, colleges, and other educational institutions. It is no more difficult to apply it to prisons. It was successfully introduced by Machonochie and Crofton; it has been applied successfully to adult reformatories in the United States. The grading system with conditional parole has been in satisfactory operation in the State prisons of Minnesota and Indiana

for several years. There is no reason why the grading system should not be applied to every penal institution for corrigible offenders. For incorrigibles a different régime may be necessary.

EXTENSION OF THE REFORMATORY SYSTEM.

A grading system, combined with industrial training and a firm discipline under which a prisoner may rise or fall, not by a passive observance of good time rules, but by positive acquisition and attainment, furnishes the essential elements of the reformatory system, and should be applied to all prisoners who are sentenced under a parole law or under the indeterminate sentence. The defect of prisons where the graded and marking system is not applied is that the record of the prisoner is judged rather by what he does not do than by what he does do. If he does not violate certain easy rules he has a record for good behavior based on a small amount of self-control. This negative goodness is very different from the education of the intellect and the will, the eye and the hand through vigorous exercise. We commend therefore to your honorable body and to the State Commission of Prisons the whole subject of the extension of the reformatory system. We cordially approve the establishment of a State reformatory for misdemeanants as recommended by the State Commission of Prisons. The common methods of the courts of imposing a short sentence for misdemeanants on the ground that the offence is a "light one" sets offenders on the high road to felonies and to State's prison. Probation furnishes the best substitute for the short sentence in all cases of first offenders when supported by proper investigation and supervision. A second offence may show that char-

acter or environment are defective and indicate the need of positive educational and reformatory influences.

As pointed out in our last annual report, "the legal distinction between misdemeanants and felons is largely arbitrary and has little or nothing to do with the question of corrigibility and the régime to which the prisoner should be subjected." No better prison régime has been found for the treatment of offenders below the age of thirty years than that established at the Elmira reformatory, and all offenders, whether misdemeanants or felons, should be submitted to similar treatment.

SING SING PRISON.

Among the penal institutions of the State, the one most earnestly demanding the attention of the Legislature is Sing Sing prison. For several years this Association, in common with the State Commission of Prisons and the Superintendent of Prisons, has pointed out the intolerable condition of this prison. In January of last year Mr. Charles F. Wingate, an expert sanitary engineer, was secured by the Association and in connection with a special committee made a detailed report as to the sanitary condition of the prison. The strong condemnation of the condition of the cell building of this prison made by Mr. Wingate and by this committee was thoroughly sustained by the State Board of Health, which, after a supplementary examination by its president and a public hearing, condemned the prison as unfit for human habitation.

On March 27, 1901, a memorial was addressed to your honorable body by this Association and your attention was called to the serious consequences, not only to the health of prisoners, but to the health of the community from failing to remedy these

conditions. This appeal was vigorously supported by the public press, but the Legislature adjourned without taking definite action.

Since that time steps have been taken by the Superintendent of Prisons to protect the water supply from possible contamination from the infiltration of sewage along its course, cutting off one source of infection for typhoid fever. But the condition of the cell building can only be remedied by entirely new construction, and for this a legislative appropriation is necessary.

In his message for 1902 to your honorable body the Governor has added his voice to that of the State Commission of Prisons and declares that "existing conditions should be remedied as soon as possible." There are two ways in which this can be effected. The first is to build a new prison, the second is to add to and reconstruct the old one.

Could the State obtain a sufficient price for the land and plant at Sing Sing, it would be more satisfactory in the long run to build a new prison on modern principles on a site equally convenient to New York, and with sufficient land to enable some of the prisoners to be employed at agricultural labor.

More immediate relief, involving less outlay to start with, can be obtained by reconstructing the present prison and increasing its accommodations. As pointed out in our last annual report, the shops are well situated, and, flooded with abundant sunshine, help in some measure to check the development of tuberculosis engendered in the cell building in which the main difficulties as to drainage, ventilation, dampness and overcrowding center. The Superintendent of Prisons and the State Commission of Prisons have given earnest and careful attention to the question of remodel-

ing the present structure and building additional accommodations. They suggest an appropriation for a new fire-proof roof on the principal cell building, the present roof being of wood, and as pointed out by the Governor, in the event of a fire, "positively dangerous to the lives of prisoners." They propose to extend the present cell building north sufficiently for the construction of 500 cells, the new structure to be a modern building, constructed on approved plans with "plenty of sunlight and ventilation, and with a cellar or basement underlying the structure." On completing this extension the Commissioners propose to vacate 500 of the present cells and substitute a steel structure for the present massive stone one. The lower tier of the present building they would turn into a cellar or basement underlying the whole structure so as to improve the drainage and remove dampness; the small windows in the wall enclosing the cell block are to be enlarged so as to admit more sunlight and air. On completion of the alterations in one-half of the prison the Commissioners propose to rebuild the other half.

Though prison architects might differ as to details of construction there can be no doubt that the plan proposed is practicable and economical. It would not disturb or disarrange the discipline of the prison and would admit of the employment of convict labor to a large extent.

We earnestly commend this plan to the favorable consideration of the Legislature and hope that the necessary appropriations may be made for the vigorous prosecution of the work.

NAPANOCH.

While at Sing Sing the conditions to be met are those which arise from a defective and obsolete structure the difficulties

encountered at Napanoch arise from newness and incompleteness. This prison was designed to relieve the congested state of Elmira Reformatory. Its official title is the Eastern Reformatory. Progress in its construction has been very slow. It was opened for the reception of prisoners on the 19th of December, 1900. One hundred and fifty prisoners were transferred from Elmira as provided by law. The population on the 14th of December, 1901, when inspected by a committee of this Association, was 191. These prisoners have been profitably employed in completing the construction of the prison. The general location was excellent; but the building was unfortunately placed too low on the slope to secure the advantage of the natural drainage which might have been obtained by placing it higher. An elaborate system of drainage on the Waring plan has been introduced. The prison is well lighted and ventilated. The original plan proposed two additional wings and an enclosing wall, all to be erected as far as possible by convict labor. At least a hundred more prisoners should be accommodated at present at Napanoch, but unless they could all be utilized in completing the building, which is somewhat doubtful, they would be obliged to be idle, as no workshop or trade schools have as yet been built for productive or educative industries. Napanoch is not yet fulfilling the purpose for which it was erected. It would seem that no time should be lost in erecting a suitable shop and trade-school building. The reformatory could then be filled to its full capacity, and the per capita cost reduced. The encouraging success of the warden in raising farm products on the small extent of land at his disposal suggests that this agricultural labor might perhaps be profitably extended and the pro-

ducts made use of not only for Napanoch, but for Sing Sing, to which they could be transported with little expense.

ELMIRA REFORMATORY.

In the last annual report of the Prison Association, for the year 1900, a report of the subcommittee, consisting of Messrs. Ward, Stokes, Hadden and Gregory, was printed in relation to the State Reformatory at Elmira. That portion of the report dealing with the question of the increase of insanity at Elmira has been the subject of a reply by the Board of Managers of that institution in their annual report for 1901.

In the report of the Committee of this Association care was taken to give the opinion of the then acting General Superintendent, Dr. Robertson, that there had been no material increase in the amount of insanity at the Reformatory. But the records of the institution seem to disclose facts at variance with this view, and the sub-committee expressed the opinion that the "possible relation of such protracted dark cell 'cuffing up' to the increasing insanity in the Reformatory should be thoroughly studied by the Reformatory authorities."

The records of the institution show that one inmate had been in a dark cell 37 out of the previous 44 consecutive days and that on 25 of these days he had been "cuffed up" for an average of about ten hours per day. Another inmate had been hand-cuffed to the bars of one of the isolation cells for about ten hours a day during 28 of the previous 30 consecutive days.

The Committee asked Dr. Robertson, Acting Superintendent, whether or not in his judgment as an expert alienist such severe and prolonged punishment would not have an unfortunate effect on the man's nervous system? Dr. Robertson replied:

"I should expect it would have an injurious effect on the man's nervous system, because of his general physical condition."

When asked, "Is it not possible that this marked increase in the insane among those who have been so treated in the past two years has been due, in some appreciable measure, to the resorting to isolation?" Dr. Robertson replied, "It has probably been aggravated by the isolation."

Doubtless every competent alienist would agree with Dr. Robertson on this point. Whatever causes may be assigned to the increase of insanity at Elmira in the past, it could be very safely predicted on the highest expert authority that mental diseases at that institution would be rapidly and disastrously multiplied if this form of punishment were continued.

The problem of punishment in a reformatory institution is a difficult one, and we believe the Managers of the Elmira Reformatory have no desire to inflict punishments which are cruel and unusual, but the committee of the Prison Association would hardly have fulfilled their duty as inspectors under the laws of the State if they had not called attention to the serious consequences which might result from the punishments then in vogue.

While we regret that any ground for this discussion has been furnished by conditions at Elmira, we can only be glad that the managers have determined to give this matter their serious attention.

ECONOMICAL ADMINISTRATION.

Attention has been called by the present Executive to the need of greater economy in the administration of all departments of the public service. Various devices have been suggested to secure it. From the standpoint of the taxpayer such suggestions deserve consideration, with reference to our penal system.

We respectfully offer to your honorable body a few observations on this subject.

This Association is emphatically opposed to all extravagance in construction and administration of penal institutions. Fortunately the enlightened principles of prison reform do not require extravagant expenditure for their application. They can be justified on economic as well as on philanthropic grounds. To build a prison which, like the new Tombs building in New York, costs nearly twice as much as was contemplated by the original architects and twice as much as is necessary, is an outrage on the taxpayer, and tends to bring Prison Reform into disrepute. The same is true of the unnecessary duplication of officers and of wasteful administration.

But in considering the question of economy as applied in public service in any department we must equally beware of a short-sighted policy which sacrifices a permanent good to gain a temporary reputation for retrenchment. The real economy of any penal system can only be determined by its results measured over a reasonably long period of years. We must beware of the fascination of an immediate profit to be ultimately reversed by a permanent loss.

With due caution in this respect there are undoubtedly ways in which the penal system of the State can be much more economically administered.

1. The proper coordination and centralization of authority would ultimately result in a great saving to the State. This has been the experience in all countries in which it has been tried. With adequate power to transfer, organize, distribute, or converge for industrial reasons the penal population of the State, it could be much more effectively worked and disposed.

2. The practice of imposing short sentences for habitual criminals results in a great and unnecessary expense for police and judicial service. The obvious relief is to be found in sentencing confirmed repeaters under cumulative or indefinite sentences to a long period of confinement during which their labor may be utilized by the State and by the families of prisoners. Public sentiment may not yet be ready for this measure, but until it is there seems to be no way of reducing the costly appropriation required for the present inefficient system.

3. The probation system should be extended as rapidly as possible. The saving to the State of the cost of imprisonment of probationers and the more serious cost which has arisen from the manufacture by imprisonment of first offenders into confirmed criminals is financially very great.

4. In the construction of prisons it should be remembered that light and air are necessary to economy because necessary to health. Every prisoner placed on the sick list adds to the per capita cost. Tuberculosis is the scourge of all prisons. Its ravages may be partially checked by improved prison construction, especially by cell buildings in which light and air are admitted directly to the cells, as in the workhouse at Blackwell's Island and in the best examples of modern European prison construction.

5. A saving to taxpayers can be effected by still further developing the present system of prison industries, and protecting it from all interference by agitators who speak not in the interest of labor and economy, but in the name of idleness and extravagance. On moral and humane grounds this Association has protested against depriving prisoners of the labor which is necessary for their health and invigoration. Nothing need be

REPORT OF THE CORRESPONDING SECRETARY.

Through correspondence and by personal representation the Association has been brought into affiliation with organizations at home and abroad whose activities have a close relation to our own. In the wide field of philanthropy interchange of counsel and experience is constantly necessary to secure coöperation, prevent duplication and throw light upon obscure problems.

The Association is represented by two delegates in the Civic Council, an organization made up of labor and reform societies of various kinds in the city of New York. The Civic Council takes up many questions which do not lie within the field of this Association, but which include subjects of public interest and importance.

The Association was also represented by three delegates, consisting of the president, Samuel Macauley Jackson, and the corresponding secretary, at a meeting held February 5th, of a committee of 250, to consider measures in relation to the report of the charter commission.

By invitation the corresponding secretary spoke, February 19th, at the monthly conference of the Charity Organization Society on the "Legal Punishment of Drunken and Disorderly Offenders." In preparation for this address the Massachusetts State Inebriate Asylum at Foxboro, Mass., was visited and correspondence conducted with Dr. Crothers of the Walnut Lodge Hospital, Hartford, Conn., and a study made of recent European discussions on this subject. The conference unanimously passed a resolution favoring a State probation law on the lines submitted by this Association.

LEGISLATIVE HEARINGS.

On February 20th I represented the Association at a hearing of the Senate committee on public education in relation to Sen-

ate bill 383, which provided that school boards, boards of education, trustees of school districts and other officials authorized by law to purchase school supplies shall be authorized to purchase the same in the open market when in their judgment it is for the best interests for the schools they represent to do so. Though apparently innocent on its face, this bill was a dangerous blow aimed at the furniture industry of the State prison at Auburn. Had it passed, it would have disorganized that industry, would have made another exemption in favor of a special trade, would have placed increased burdens upon the taxpayer, without any gain to the interest of labor. The bill was opposed by the Superintendent of Prisons and fortunately died a natural death in committee.

Several visits to Albany were necessary in behalf of the probation bill, prepared by the law committee of the Association, and hearings were held on this subject before committees of both houses.

A bill to abolish machinery in the State prisons except such as may be operated by hand or foot power, and except in the manufacture of articles for the use of prisons and charitable institutions, was the subject of an extended hearing before the Assembly committee on penal institutions. The corresponding secretary joined with the Superintendent of Prisons and the secretary of the Prison Commission in opposing this bill, some of whose advocates so far overshot the mark as to advocate the abolition of all machinery, not only within prison but without.

Another bill introduced, referred to the same committee, aimed to cancel the obligation of the different departments of the State to take prison-made goods unless they can be sold as cheaply as in the open market, and be made in what the buyers regard as a reasonable time. This bill would make the purchaser in all cases the judge of the price. At present the prices are fixed by a board of classification and are based on the prevailing market rates. Such a law would have nullified the action of the board and by introducing fictitiously low rates in the competition would have interfered with, if not ultimately destroyed, prison industries. The bill was not reported.

With reference to a bill for the demolition of King's County Penitentiary, the result of inquiry showed that the commissioner of corrections, Mr. Lantry, had no place then available to accommodate the 600 prisoners who would be dislodged by the immediate demolition of the prison. It seemed therefore highly important to defer the removal of the penitentiary, if such a step were deemed desirable, until provision to accommodate the prisoners could be made. The bill was amended to defer the removal for three years, but failed to pass the Legislature.

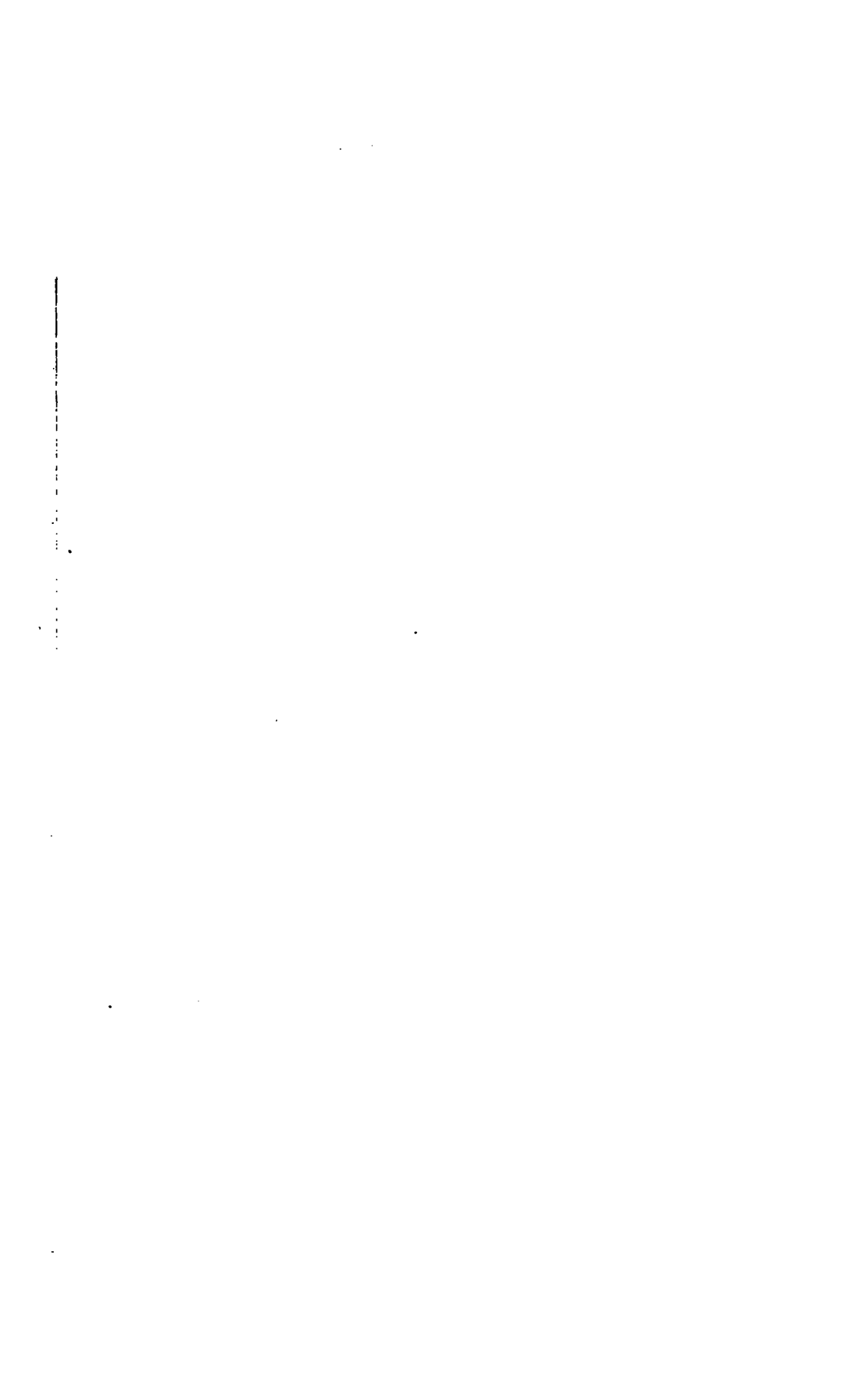
A bill to establish an inebriate hospital in the city of New York required prompt attention. The bill passed both houses of the Legislature, and its vitality depended upon the approval of the mayor and the Governor. A meeting of the law committee, to which the matter was referred, was held April 24th, and it was voted to authorize the corresponding secretary to represent the Association at a hearing before the mayor, to be held at 12 o'clock the same day. Messrs. Holt, Devine, Rice, Ely and Tucker, representing respectively the State Charities Aid Association, the Charity Organization Society, the City Club, the Association for Improving the Condition of the Poor, were by invitation of the law committee present at the conference and immediately afterwards at the hearing. The glaring defects of the bill were so evident that the mayor promptly assured the committee at the close of the hearing that the bill should be killed by veto.

The legal treatment of the inebriate is one of the most difficult questions in our judicial system. It is now a subject of world-wide interest and study. The failure, through political and other reasons, of various public homes and hospitals for inebriates cannot be said to have exhausted this form of relief. The utter inadequacy of the prevailing method of committing habitual drunkards on short sentences to a common jail or workhouse is too apparent. Apart from preventive measures the only hope for curative measures seems to lie in the erection of an inebriate prison hospital or hospital prison, which, with the régime of a hospital and all moral and regenerative agencies, should combine a power of detention and discipline for lack of

tion of sixteen prisoners who were transferred from Sing Sing; 146 prisoners were subsequently transferred from the New York State Reformatory at Elmira; 113 prisoners were transferred from other State institutions in the course of a year. The average daily number confined was 128. The population at the time of the visit of the committee was 191. The warden is Mr. Silas W. Barry.

Some 272 acres are included in prison reservation. The site is a healthy one and the extension of the railroad will make it easily accessible; but the institution was unfortunately placed too low on the slope and it was thought at one time that it would be necessary to pump all the drainage. This difficulty, however, has been obviated, and for the benefit of those interested in the construction of prisons and the problem of prison drainage we give below a detailed description of the drainage system adopted.

The grounds are made up largely of mountain land. About forty or fifty acres are under cultivation. Employment for prisoners is limited almost entirely to the work of building the unfinished portion of the prison. Warden Berry has, however, utilized a few prisoners on the farm. During the year he was able to produce 1,050 bushels of potatoes, 200 bushels of turnips, 200 bushels of onions, 5 acres of sweet corn, 5,000 cabbage, 4,000 tomato plants, 100 bushels of carrots, and about 75 bushels of parsnips, in addition to a large amount of small garden truck. Six thousand seven hundred pounds of pork have been raised, netting the institution some \$567. Warden Berry's previous experience in practical farming well fits him to conduct an experiment in agricultural prison labor, and he is confident that if sufficient land were placed at his disposal he could raise produce not only for Napanoch but also for other prisons. The available men have likewise been employed in constructing water works, in improving the drainage, and in grading the grounds. No account has been kept of the labor of men thus employed. They are nominally classed under the rules of the State as "idle men," but an exact account of their labor



would show that the prisoners have done much work which would have cost the State a large sum if let out at contract.

This ought to be borne in mind in considering the high per capita cost of this institution. Owing to the relatively small number of prisoners compared with the force of officers and the expenses incident to opening, the per capita cost per diem for maintenance was unusually high. The total cost of maintenance for the year was \$43,068.58, of which \$22,082.18 was for salaries of officers and \$20,986.40 was for ordinary support, the average expenditure per convict per diem was \$0.922. The present force of officers could handle twice as many prisoners, and there is at present a sufficient number of cells to accommodate them. There is no stockade around the prison. Two guards have charge of from 20 to 30 men. The guards are armed with Smith & Wesson revolvers, .38 calibre, and carry heavy canes. Two escapes only have been made. At the time of the visit of the committee 165 men were at work outside of the building between 7 and 8 hours a day.

The external walls of the prison are of stone. The interior cell block is of brick with iron doors grated. The floors of the cells are of sandstone, which will absorb a good deal of water. The north wing of the prison contains 272 cells, the south wing 224 cells. The cells in the north wing are 9 feet long by 6 feet wide, $8\frac{1}{2}$ high. The cells in the south block are 9 feet long, 7 feet wide and $8\frac{1}{2}$ feet high. Eleven large windows on each side of the corridors furnish abundant light. The ventilation is good. Eventually each cell will contain a closet. At present buckets are used. The ventilation from the back of the cell is obtained by connection with the open corridor air space behind the tiers of cells dividing the cell block. The cells are locked by a night bar and are also supplied with individual locks. The doors are 2 feet 3 inches wide by 7 feet high. The gallery surrounding the tiers are all covered, so that injury by falls or suicide by jumping from the galleries is impossible. The roof is not yet finished, but shelter is furnished by a tempo-

rary structure. No punishment cells have as yet been built. The school room is at present used for a chapel.

No industries or trade schools have been established. Six men were at work in the tailor shop who make all the prison garments, with the exception of the underwear. The hospital is constructed on modern principles. There has been but little need of it, as the health of the inmates has been excellent. A few cases of tuberculosis have been transferred to Dannemora. No death had occurred up to the time of the visit of the committee.

The central portion of the center building is occupied as a guard room to the height of the ceilings of the cell wings. The westerly section provides the warden's office in the first story and his living quarters in the second and third stories.

The basement of the center building provides kitchen, boiler room, laundry and storage rooms, and the easterly section of the center building above the first floor provides dining room, chapel, guards' rooms, and hospital accommodations.

The center building above the ceiling of the cell wings is intended to provide chapel space, but as yet it is unfinished and not utilized.

The dining hall and kitchen building at the rear of the main building is not yet in course of construction, but the drawings and specifications are well advanced, and the building will provide dining hall in the first story and kitchen and additional dining room space in the second story.

The chaplain, Rev. Francis H. Pierce, seemed to be deeply interested in his work. In addition to preaching he is conducting a school two hours a day during four days of the week. It is divided into two classes with arithmetic as the basis. Instruction is given in reading, writing and arithmetic. The school is yet in an embryo state. The library contains 683 books. There is an appropriation of \$500 dollars for library expenses; periodical literature is also sent by friends outside. Chapel attendance is not compulsory, but three-fourths of the population voluntarily come.

The amount expended on the construction of the prison up to July, 1901, is as follows:

Expended by building commission.....	\$711,051 93
By superintendent of prisons.....	50,070 95
	<hr/>
	\$761,122 88
	<hr/>

DRAINAGE.

Heretofore the liquid waters flowing through the drainage system have passed, without any attempt at purification, to an outlet in a small run, nearly dry in summer, which empties into a branch of Rondout creek. The contents of the night-buckets were deposited each morning in a long open trench, whence the liquids slowly escaped by seepage and evaporation, while the solids accumulated until they had choked the soil and made it impervious. When this condition was reached, the trench was filled with earth and another opened near it. Long before a trench was abandoned and filled, active putrefaction began in the stored sewage and considerable offence resulted.

A modern system of sewage disposal has just been installed by the City-Wastes Disposal Company of New York, and this will hereafter receive and purify all the sewage of the institution, delivering to the creek an effluent practically as pure, so far as organic constituents are concerned, as the water of the creek itself. An outside slop-hopper has been built over the main drain and connected with it, and into this the contents of the night-buckets and their rinsings will be poured. The drain terminates in an underground tank of concrete, 40 feet long and 24 feet wide, with a hydraulic depth of six feet. The incoming sewer discharges into one end, through two inlets midway between the floor and the water line. Deflector plates check the velocity of the flow and direct the current laterally, so that the sewage is well distributed at the inlet-end and the corners do not stand full of "dead" sewage. The capacity of the tank is about 41,000 gallons, or on an assumed basis of 100,000 gallons

of sewage per day, the sewage of ten hours average flow. The rate of travel through the tank is, therefore, but one and two-tenths inches per minute. During this slow passage the heavier solids sink to the bottom and the lighter fats and flocculent particles rise to the top as scum. By the time the sewage reaches the farther end of the tank, the separation of liquid and suspended matters is practically complete, and the clarified liquid is drawn off, by a collector of peculiar construction, on a plane extending across the entire end of the tank and midway between the deposited sludge and the supernatant scum. The retained impurities are attacked by the bacteria which soon colonize the tank and are reduced to liquid form, passing off in solution in the escaping water. Until liquefaction has become well established, there will be a rapid accumulation of sludge; but in a few weeks the volume liquefied and lost daily will practically equal the incoming solids, and the accretion of deposit will be almost, if not entirely, checked. At rare intervals, say once in two years, the tank should be cleaned; but during this time it will have destroyed a bulk of sludge sufficient to fill it many times.

The liquid escaping from the tank, though free from suspended matters, still contains practically all the impurities originally in solution, but their organic structure has been loosened and its elements are ready for rapid union with oxygen and consequent return to their original mineral form.

This purification is effected by slow filtration through the natural sandy soil, the application being intermittent, so that, as the liquid subsides, air may follow into the pores of the filter beds, stimulating the action of the purifying bacteria colonized on the particles of sand, and supplying the oxygen needed for combination with the nitrogen, hydrogen and carbon of which the filth is composed.

The filtration area comprises 33,800 square feet arranged on the "ridge and furrow" system. Twelve furrows, each 131 feet long and six feet wide at the bottom, with sides sloping at an angle of two to one are provided for the reception of the sewage.

These furrows are fed from four distributing chambers, which in turn are fed by the collector and outlet of the septic tank. The three outlets from each distributing chamber are controlled by a sliding valve which will open any one and close the other two. These valves are connected and controlled synchronously by a single lever near the first chamber, just as railroad switches and signals are operated from a distant tower. The lever locks in three positions. In the first, furrows Nos. 1, 4, 7 and 10 are open and the rest closed; in the second, Nos. 2, 5, 8 and 11 alone are open; and in the third, Nos. 3, 6, 9 and 12 only are accessible to sewage. Each distributing chamber contains a device known as the Adam's Air-Lock Feed, a simple arrangement of air bells and connecting pipes, without moving parts, which permits the entire flow of sewage to pass through the first chamber until the sewage in the open furrow reaches the depth of 18 inches; and then, by causing an air bind in the feed pipe, automatically cuts off its own supply and transfers the entire flow to the second chamber and its open furrow. Here the process is repeated, and again, consecutively, in the third and fourth chambers, the last returning the flow to the first and beginning the cycle anew.

With the alternating lever in the first position, the entire flow thus passes to furrow No. 1 until the sewage in it is 18 inches deep (about three hours of average flow on the basis assumed as the maximum). The flow is then turned automatically to furrow No. 4, while the liquid in No. 1 filters slowly away through the ground and is furrowed by air, which causes rapid bacterial combustion of any impurities left in its descent and sweetens the bed for its next period of use. Each furrow holds about 13,000 gallons and on its day of use receives, therefore, say two doses, assuming the total daily flow to be 100,000 gallons. The following morning, the shifting lever is thrown into the second position, and furrows Nos. 2, 5, 8 and 11 receive in rotation the sewage of the day. On the third day the lever is shifted again, and furrows Nos. 3, 6, 9 and 12 are in consecutive use. Thus each furrow, apart from the aeration it receives between the succes-

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with reformatory institutions for women, organized on progressive and enlightened principles. The capacity of Bedford is 238. It is organized on the cottage plan and the whole plant consists of an administration building, reception hall, four cottages, a laundry, power-house, gate-house and stable. The development of this institution which starts with such an excellent physical equipment will be watched with much interest.

THE INSANE CRIMINAL.

New York likewise leads the States of the Union in its provision for insane criminals. The institutions at Matteawan and Dannemora are both well equipped and administered. The former has suffered for some years from overcrowding. It has been relieved by the transfer of prisoners to Dannemora. An endeavor is made to establish a distinction between these institutions so that Matteawan may be used for "court cases" or the unconvicted insane, while the insane convicts may be segregated at Dannemora.

JAILS.

Reports received from committees of the Association show that in certain counties the constant pressure of public sentiment has been effective in securing improved conditions. The work of the State Commission of Prisons in this direction has borne good fruit in various counties in securing renovation and improvement of existing structures and in the building of a number of new jails on modern principles, with distinct quarters for women and provision for the separation of prisoners. It is to be hoped that counties which are backward in this particular may be stirred up to emulate the example of more progressive sections. The State Commission of Prisons calls attention to the large number of Chinese confined in jails in Franklin, St. Lawrence and Essex counties as United States prisoners. The Federal Government should provide sufficient accommodation for such prisoners.

PENITENTIARIES.

Of the six penitentiaries in the State, the most discouraging fact is that not more than three of them are at present furnishing sufficient work for their inmates, and this is an evil which does not require new legislation, but simply the earnest and determined application of existing authority. An industrial difficulty in the penitentiaries is that different work must be provided for long time and short time prisoners. The short term men, unless they have had previous training, cannot be employed in skilled labor, nor can they be easily taught trades. There are, however, various forms of out of door and indoor labor which have been utilized in many penal institutions for short term prisoners.

At the New York County Penitentiary at Blackwell's Island progress has been made in rebuilding the central portion of the structure. The inmates are kept relatively well employed, and good discipline has been maintained.

Kings County Penitentiary is healthfully situated and well administered. A large number sent to this institution are vagrants, but work is provided for both long term and short term prisoners.

Reports from the Albany County Penitentiary show an unsatisfactory state of affairs as to the employment of prisoners. In Monroe county the employment is mainly agricultural. The new penitentiary in Onondaga county has attached to it a farm of 120 acres, which furnishes opportunity for out of door labor.

NEW YORK CITY PRISON.

The delay in completing the new City Prison to take the place of the old "Tombs" has become a standing reproach to the city. On March 11, 1901, an inspection was made by the Committee on Detention to ascertain what causes hinder the completion of the new prison. In going from top to bottom of the new structure hardly more than half a dozen men were found at work on any floor. The only explanation offered for the delay



NEW CITY PRISON, NEW YORK.

was the series of strikes and the complication, legal and industrial, growing out of the failure of some of the firms engaged in the work of construction. The prison should have been completed at least two years and a half ago.

The work of construction was further hampered by complications growing out of the change of architect. April 27, 1896, Messrs. Dickson and Withers received their appointment as architects. Contracts for building were let out for all the money appropriated. In 1898 the work was taken out of the hands of Messrs. Dickson and Withers, who are now suing the city for \$25,000 damages, but who still retain supervision of a portion of the work. The steel work, the heating and ventilating, plumbing, elevators, and still other work was given to Messrs. Horgan and Slattery. These architects complained that the beams used in the cell work were too light and substituted heavier cell work costing nearly twice as much. The cell work as originally planned would have cost \$175,000; as reconstructed it costs \$310,000.

The contractors for the ventilating and heating failed. Much delay was caused on that account. One of the principal causes of mischief and delay was tersely stated to the committee to be due to having two captains to command the ship and a varying and mutinous crew.

As to the necessity of the change of architects and the reconstruction of the cell portion of the building the matter is in the courts, and the committee have not deemed it their duty to enter into this dispute. They think it important, however, to call attention to the excessive cost of this building, which will reach a million dollars. It will contain 320 cells. A portion of the building will be used for officers, but making a due allowance for this, \$3,000 a cell is an extravagant cost for a simple prison of detention, or indeed for any prison whatever. A perfectly adequate structure could be built for half the sum, or \$1,500 a cell. In fact very good prisons have been built for from \$1,000 to \$1,200 per cell under conditions of labor and cost of material not differing widely from those prevailing at the present time.

While it is a satisfaction to know the disposition in these days to spend a sufficient amount to secure the best sanitary conditions in new prisons and to provide a separate cell for every prisoner, any undue extravagance in building penal institutions is to be deprecated. A standard of cost unnecessarily high furnishes an argument against the reconstruction of prisons which ought to be replaced by more healthful buildings.

To those who know the condition of the old prison it is hardly necessary to point out in detail the great need of an early completion of the new one. On the date of the visit of the Committee on Detentions March 11, 1901, there were 413 inmates—381 males, 32 females. Of the 381 males, 340 were sleeping two in a cell, arranged in what are called “double deckers.” There were 32 cells available for boys occupied by 54, so that nearly all the boys in the prison were “doubled up.”

At a second meeting of the Committee on Detentions held at 135 East Fiftenth street, on March 19, there were present: Messrs. Hutchinson, Williams and Hadden.

On motion of Mr. Hadden it was voted that the following recommendations be made to the Executive Committee to be communicated, if approved, to the Commissioner of Correction:

1. That but one man be allowed in a Tombs cell; that the surplus prisoners be confined in the district prisons until the completion of the new cells.

2. That in committing prisoners to the Tombs preference be given to prisoners from the more remote districts so that in cases coming up for bail it would not be necessary to send any distance for a prisoner.

3. That the Commissioner of Corrections, Mr. Lantry, be asked to have cards put up in the cells warning prisoners against indiscriminate appeals from lawyers.

Commissioner Lantry promised to carry out as far as possible the recommendations of the committee.

The new commissioner, Hon. Thomas W. Hynes, immediately after assuming his office, January 1, made an investigation of the conditions at the Tombs and is pushing forward the new

building to completion. It is impossible, however, to say at this writing when it will be ready for occupancy.

WORK HOUSE.

On May 2, 1901, the Committee on Detentions, accompanied by the Corresponding Secretary, visited the work house on Blackwell's Island. The following is an extract from a report prepared by the acting chairman of the committee, Mr. Morney Williams.

"Your committee found detained in the work house about eighteen lads, all under 21 years of age, and many of them apparently but little over 16 (though all stated their ages to be over 18), who are detained for various offenses. Six of these young men are employed as runners, being called upon to do errands during a portion of the time. The rest of the boys have no employment whatever, and no education is provided of any sort. The most significant characteristics of the group were the very minor character of the offences on which they were held and the extremely typical character of personal appearance and mental capacity exhibited by all of the lads. In no case was the offence charged against the person of a serious nature, but in every case the lads gave evidence of the precise class in the community from which "the gang" is recruited. For the most part they had received but very little schooling; the seventh grade in grammar being about the highest grade reached by any one of them. They were of different nationalities, but chiefly born in the United States, and very few of them had been inmates of any institution before coming to the workhouse, only four in all.

It would be difficult to find a more significant instance than is afforded by the case of these lads of the absolute uselessness of a purely penal institution for young offenders.

Here were a group of young men evidently drawn from a class much neglected and liable to become a distinct menace to the welfare of the community, separated from all influences for good, associated with older offenders than themselves, kept in

the need of removing the women to Kings County Penitentiary, or else building a better structure than this old wooden fire trap, is as great as ever. The following is an extract from the report made by Mrs. Caroline Bergen to Hon. Randolph Guggenheimer, President of the Borough of Brooklyn:

As to the structural conditions of Raymond Street Jail, a casual observation of the part in present use for women shows it to be inadequate. Closer examination and inquiry into the best of prison methods, with plans to improve as well as to punish inmates, shows the jail to be lamentably lacking.

Over sixty women were in the jail when this inspection was made in the month of June, a number at times increased to 100 or more. No occupation is provided other than the keeping of the building clean, laundry work, and the making of garments by some of the women. No classification, other than terms of sentence, is attempted; no chairs; the beds in dormitories close together; eight or ten in the larger rooms; bed linen and covering not up to the standard required at well regulated almshouses; benches in the hallway between dormitories; no places other than the ones mentioned for eating and sleeping; bathing facilities inadequate; some women serving sentences of six months, others shorter terms, or awaiting trial. My last visit was made on Sunday, June 16, and I saw a number of young women, one an innocent looking girl of 17, who had been arrested at Coney Island the night before, herded in with rougher characters.

Every courtesy was shown me, and opportunity for inspection afforded, and access to records of cases freely permitted. The matron seems kind and interested in inmates, but is handicapped by the meagre facilities, and has only prisoners as helpers.

The sheriff said that among the men many prefer to work, and painting and repairs about the building had been done by inmates, but he questioned if among short term prisoners work could be enforced. I question it not, and consider it a part of

prison discipline to employ inmates. This could be accomplished in a variety of ways without competing with outside industries.

The general arrangement of the men's prison, I am informed by prison experts, is fair, but permitting the men to mingle in the main corridor is pernicious.

WOMEN AT KINGS COUNTY PENITENTIARY.

Mrs. Bergen also submitted in the same report some notes in regard to women at the Kings County Penitentiary:

The penitentiary is admirably situated on high and healthy ground. While building and cells are not in size according to the most modern of such structures, the corridors are ample and the health of the inmates is excellent.

As to women, there were 62 at date of visit, with cells for 150. There were four matrons; clean condition; certain privacy possible by a fresh white curtain before the door of each cell, and some individuality displayed by the care and decoration of each by the inmates; bathing system by spraying, 40 bathing at a time. Women do the laundry work of entire plant. Suggestions as to other work welcomed and likely to be utilized.

Visited hospital wards. Three women in this department, twenty-eight in male hospital department. Dietary ample, "for workers," as the warden properly described his charges. Diet is directed by the physician in charge.

As to sentences; the penitentiary receives prisoners from eight different counties, some women being committed there for as short a term as two months. Other women, committed by same magistrates, as careful inspection of records at both penitentiary and jail will show, are sent to the jail for the same or longer terms.

The weeding out from the jail of longer term prisoners, say six months, and their transfer to Kings County Penitentiary, ought naturally to deplete the number at jail. What then will be needed is simply a house of detention for those waiting trial, or serving the shortest time.

THE PROBATION LAW AND PROBATION WORK.

In January, 1901, the question of securing a probation law for the State of New York was discussed in the executive committee and referred to the law committee for consideration. This committee appointed a sub-committee, consisting of Messrs. Speranza and Barrows, to draft amendments to the Penal Code providing for the appointment of probation officers and defining their duties. Three meetings of the sub-committee and two meetings of the law committee were necessary to get the proposed law into shape. At one of these meetings the committee had the advantage of the valuable suggestions of the secretary of the State Commission of Prisons, Hon. George McLaughlin.

In Mr. J. H. Morgan, of the Assembly, representing the first district of Kings, the committee found an active and interested friend in favor of probation. The bill was presented by Mr. Morgan in the House February 26th; likewise in the Senate the law was introduced and advocated by Senator Cocks.

After a hearing before the Assembly committee on codes, in which the committee showed a sympathetic interest in the subject, the bill was reported with amendments. One of these amendments limits the scope of the bill to cities of the State where it will undoubtedly have its largest field of operation. Another amendment enlarged the scope of the bill by removing a provision that the probation period should be limited to the longest time for which the defendant might have been sentenced. This maximum period in the case of certain offenses might render the probation so short as to be of little deterrent value. It is now to be left entirely to the discretion of the court.

A conference which our president, Mr. Charlton T. Lewis, held with Senator Malby, chairman of the Senate committee on codes, resulted in securing a favorable report from the committee. The bill passed the Legislature without opposition and became a law April 17, 1901, with the approval of the Governor. The bill as passed embodied with a few verbal modifications every essential feature of the original draft. The act was made to take effect September 1, 1901.

The full text of the bill, on consulting the index, will be found on a succeeding page. We give here a brief synopsis of its provisions:

Under the legislative practice of the State of New York the new law had to be introduced in the form of an amendment to the Code of Criminal Procedure and had to be grafted upon the existing law in relation to the suspension of sentences. The law provides for the appointment of probation officers by the justices of courts having criminal jurisdiction in all cities of the State. Such probation officers may be chosen from among private citizens, male or female, clerks or assistants of the courts making the appointment, or from attachés of the district attorney's office, or from members of the police force or constables. In such cases the probation officer receives the salary or compensation attached to his official employment. Private citizens serve without cost to the city or county. They may be employed and paid by charitable organizations.

It is made the duty of probation officers to inquire into the antecedents, character and offense of persons over the age of sixteen years when directed by the court to do so. Reports thus made are to be filed with the clerk of the court, and when there is no clerk, with the justice thereof. The court has then the power to place the defendant on probation under the charge and supervision of the probation officer. The court may revoke and terminate such probation at any time and may execute the sentence.

If the judgment is to pay a fine and that the defendant be imprisoned until it be paid, the execution of the sentence may be suspended for such time as the court determines. The defendant has thus an opportunity to pay the fine by instalments or within a prescribed period, and when the fine is paid the judgment is satisfied and the probation ceases.

Provision is made for the collection of needful statistics by requiring that the names and addresses of probation officers and the courts to which they are attached shall be transmitted to the Secretary of State, and also detailed information con-



BUILDING OF THE PRISON ASSOCIATION OF NEW YORK, 135 EAST 15TH STREET.

cerning the age, sex, nativity and residence of the defendant and the nature of his offense.

GROWTH OF PROBATION WORK.

The enactment of a probation law in New York is the outcome rather than the beginning of probation work in this State. As in Massachusetts, so in New York, a few individuals who had secured the confidence of the judges demonstrated the value and necessity of probation work before legislation was invoked. Judges occasionally exercised their discretion in minor offenses in giving young offenders another chance. The passage in the State of the law giving judges authority to suspend sentence greatly enlarged the number of such cases. With their multiplication, however, the judges felt the need of advisers in this responsible work. Such an adviser was found at the City Court in the person of Mrs. Rebecca Salome Foster, a woman of great sympathy, judgment, tact and personal devotion to those under accusation. She secured in a remarkable degree the confidence of the judges and was known as the "Tombs Angel."*

In a similar way Mr. Erastus Backus, county detective of Brooklyn, has done excellent work in the courts of that borough, especially in looking after boys before and after trial. His work has been commended not only by the judges of the higher courts, but by the police magistrates. More recently Mr. David Willard has devoted himself to work at the Court of Special Sessions, investigating and taking into his custody boys committed to him by the judges.

For more than fifty years the Prison Association of New York has had a representative at the Tombs, to visit those under accusation, to investigate cases when deemed necessary and to furnish information to the judges when desired. For seventeen years Mr. D. E. Kimball has served in this capacity, and from year to year various results of his work have been chron-

* While this report was in the printers' hands Mrs. Foster's tragic death occurred at a fire at the Park Avenue Hotel, New York city, February 23, 1902. It is with a profound sense of her loss that in this report we can only speak of her work as finished, but the results of that work will go on.

icled in our annual reports. His years of experience, tact, knowledge of human nature and trained capacity for distinguishing the "rounder" from the first offender have made his services of great value to the courts, to the offender and to this Association.

Before the enactment of the probation law and several months before it went into effect Judge Warren W. Foster, of the Court of General Sessions, determined to introduce the probation method in connection with his power to suspend sentences. He invited the cooperation of this Association and its agent for that purpose. Some cases which seemed to the judge to require special investigation were referred to Mr. Kimball for report. The investigations thus made brought out facts which were of much value in enabling Judge Foster to decide whether or not to suspend sentence, or whether in the case of young offenders to commit them to the State reformatory. Though there was then no provision for the appointment by the court of a probation officer, Mr. Kimball was recognized by Judge Foster as an agent of the court. The attitude of the judge in the matter and the additional influence thus gained over young offenders is well illustrated in an admonition given by Judge Foster in an early case of this sort reported in the New York Evening Post of March 10, 1901. Two young men came up for sentence. Judge Foster addressed them as follows:

JUDGE FOSTER'S ADMONITION.

"You are both young men. You have been convicted, and if I send you to prison, where you will associate with thieves and criminals, it may be that it will be to your lasting injury, and you will become criminals and war against society so long as you live. Now, there has been established a reformatory, and my policy has been to send young offenders there. But in your case I am going to make a different disposition. I am going to suspend sentence, and I want you to know what it means.

"Suspension of sentence does not mean that you go scot free from this conviction. It means that I may send for you at any time; that I may issue a warrant and have you brought to the bar of this court, and may then sentence you to prison. I may send both of you to State's prison for five whole years, and I

shall do it if it comes to my attention that you are not worthy of the clemency that I am now extending to you. If I find that either of you is doing any wrong, or is leading an immoral or wicked life, I shall issue a bench warrant and bring you here and sentence you.

"If I were to sentence you to prison—and you richly deserve to go to prison, because you are both guilty of the crimes charged—I might make criminals of you for all time; and, under the peculiar circumstances of the case, I did not want to do that. The Prison Association, at my request, has made an investigation into your character. Their report impels me to suspend sentence, but I shall parole you in the custody of Mr. Kimball, who is here, the agent of the Prison Association; and Mr. Kimball has agreed to watch over you and to report to the court your future conduct. If you are good boys, serve your employers faithfully and do no wrong, the court will not send for you, and you will be as free as any other citizen; but if you return to your evil ways, Mr. Kimball will report that, and I shall send for you and then sentence you. You must, therefore, report to Mr. Kimball. He is the agent of the court in this matter."

The work thus begun under Judge Foster has been continued throughout the year. It must not be supposed that only "promising cases" are investigated; cases of all kinds are brought before the agent for his examination. As our agent works in the higher court, and has to deal with offenses which are legally and often ethically of a serious character, it is important that the greatest discretion should be exercised in the investigations and the recommendations based upon them. No immunity must be granted to dangerous criminals. On the other hand, first offenders giving promise of reformation need the opportunity which probation affords to recover their moral poise. Our agent is therefore conservative both as respects the interest of society, and likewise as respects the best interest of the offender. A review of cases shows that about twenty per cent of those investigated have been recommended for probation. In other cases the offender's previous record shows that though this may be the first time he has been brought into court it is not really his first offense. It is not advisable either to have him go back to the same environment. He needs edu-

cative treatment—education of the head, hand, and heart. He is a proper subject for a reformatory. It is the policy of this Association to urge that the reformatory system be utilized as far as possible. When offenders, however, are above thirty years of age they are beyond the age limit for commitment to Elmira, and when guilty of felony must be sent according to the law of the State to a penitentiary or to one of the State prisons.

To illustrate in a concrete way the application of the probation system, and the kind of work that is done by the Association at the Tombs and at the courts a number of cases are described in detail. It will be seen that not only are persons after conviction or confession of crime placed on probation, but through the investigations of our agent the innocent are sometimes vindicated. The following extracts from reports of Mr. Kimball will be read with interest:

AN ACTOR VINDICATED.

C— G—, an actor by profession, under arrest for grand larceny, called me to his cell door to say that he was not guilty of the charge brought against him, that he had no means to retain the services of a lawyer to defend him, and that his wife and three children were without food. On examining the complaint I found that his story was probably true so far as the facts were concerned, but it was a matter to be passed upon by a jury with the usual delay. The family I provided with means to procure food, and secured the aid of a good lawyer to defend the husband and father. He was accused of stealing a ring valued at \$50, the property of a woman who had been receiving instructions from him in the art of acting. She came to him in answer to an advertisement and agreed to pay him \$25 for a course of lessons, but having no money, gave him the ring as security. After having had a number of lessons the would-be actress decided to abandon her idea of going on the stage and demanded the return of her ring. He declined to give it up until paid for his services, and told her that unless she paid he would pawn the ring for enough to pay the bill and send her the ticket.

After much bickering he pawned the ring for \$20 and sent her the ticket. She had him arrested. When the case was brought before a jury the prisoner with the help of the efficient counsel secured by the Association was able to present his side of the story, the district attorney abandoned the prosecution, and the judge instructed the jury to acquit the prisoner, which they did without leaving their seats. The Association kept the family in food and fuel until its supporting member regained his liberty. He says that all his future transactions will be on a strictly cash basis.

AN INDISCREET WATCHMAKER.

A poor Jewish watchmaker, with a wife in delicate health and one child dependent upon him for support, begged me to take up his case. The little family was reduced to a condition bordering on starvation, rent was overdue, and in desperation the poor man pawned five watches that had been entrusted to him for repairs; the customers demanded their property, and caused his arrest when he failed to produce it. On my advice he pleaded guilty and threw himself on the mercy of the court. A number of gentlemen who were in court heard the sad story and made up a fund which was used to redeem the property in pawn; it was proved to the satisfaction of the judge that the prisoner had never been in trouble before and sentence was suspended. He was released on parole in the custody of the Prison Association. He moved away from the neighborhood where he had been in difficulty and is now doing well.

TWO YOUTHFUL FORGERS.

The court directed the agent's attention to two boys who had pleaded guilty to an attempt to commit forgery; one was fifteen and the other sixteen years of age. Both were under arrest for the first time and thoroughly frightened by their brief prison experience while awaiting trial. On investigation it was found that both boys belonged to excellent families, who felt keenly the disgrace brought upon them by their sons. The

arrested before, promising to do better if given another chance. He was a handsome lad, and I felt that he was well worthy of mercy. Questioning brought out the fact that he had been employed in many places, but never long in any one. A number of his former employers said he was smart and quick, but not strictly honest. It was also learned that young as he was he had been for a year in a house of refuge for stealing. When I remonstrated with him for his attempt to deceive me regarding his past he laughed and said he would take his medicine, whatever it was. He was admonished by the court and sentenced to the State Reformatory at Elmira where if there is any good in him it is to be hoped that it will be brought out.

A REPENTANT FORGER.

A delicate looking man called me to his cell door in the Tombs and besought the interest of the Association in his case for the sake of his young wife and unborn child. He came to New York from the country two years ago and after many unsuccessful attempts, found steady employment at very small pay in an office. His wages were so small that he could hardly live and support his young wife, and in an evil moment he yielded to temptation and forged the endorsement of his employer on a \$10 check. As he acknowledged his crime, he was advised to plead guilty and throw himself on the mercy of the court. The complainant against him thought he had been sufficiently punished by being kept in jail some weeks awaiting trial. The prisoner fainted away at the bar when released in our care and I was obliged to assist the court officers in carrying him into the corridor.

A MISCARRIAGE OF JUSTICE.

A manufacturer, employing 50 hands in his shop and doing a large business, was convicted of assault. His lawyer was an incompetent practitioner who failed to present his side of the case as it merited, being confident of an acquittal. He was surprised when the jury returned a verdict against his client with a



THE MAIN
OFFICE.

recommendation for mercy. The judge asked that an inquiry be made and it was found that the defendant was a reputable man and really not guilty of the charge against him. Wholesale dry goods merchants stood ready and willing to vouch for him in any amount. It was a plain case of miscarriage of justice, and on my report the court released him on a suspended sentence.

A DEFENSELESS HUNGARIAN.

S—— M——, born in Hungary and five years in the United States, was found in the Tombs resting under a charge of felonious assault. The man could speak but little English and as he seemed to be an inoffensive, quiet person, an investigation of his case was made. With the help of a sympathetic court interpreter, it was learned that one evening on his way home from work he stopped in a saloon to get a drink. It was a place much frequented by Slavs, who have constant feuds with Hungarians. They made him the butt of their jests and ridicule and finally resorted to violence. Being greatly outnumbered he defended himself as best he could and at last stabbed one of his assailants with a pocket knife. He was then arrested, and on trial made out as good a case of self defense as he could; but his enemies triumphed, for they again outnumbered him. He had no witnesses and the jury convicted him of a minor degree of assault. The police officer said he was a bad man, living on the earnings of his wife and never working to support his family. At the request of the judge, I went to the prisoner's house to inquire as to the truth of these assertions, and found that he had a wife and two pretty children. The house was a model of neatness and some of the furniture was made by the husband from scraps of wood that he had brought home from a picture frame factory where he was employed. The wife said he was always good to her and the children, and never drank to excess. His employers said he was a steady, quiet man who never gave them any trouble. The facts were brought to the attention of the court and the weeping prisoner was told not to take the

law into his own hands again. He was then released on probation in the custody of the Association.

PROBATION WORK IN POLICE COURTS.

Judge Joseph M. Deuel, the president of the Board of City Magistrates, First Division, comprising the boroughs of Manhattan and The Bronx, has been a strong friend of the probation system from the start. The Twenty-eighth Annual Report of the Board, drawn by Judge Deuel, gives the conclusions of the Board of City Magistrates concerning the Probation Law, which in the short space of three months has already demonstrated its value. The report says:

“The General Probation Act, chapter 372 of the Laws of 1901, applicable to prisoners above the age of sixteen years, went into effect September 1, 1901. The magistrates, with faith in its wisdom and belief in its utility, took prompt steps to put it into execution. It was the opinion of a majority of the Board that the best results could be obtained by carefully selected patrolmen from the police department. By the co-operation of the commissioner and chief of police this plan was put into operation. Ten officers, picked from the entire force by as many magistrates, were assigned to this duty, commencing October 1st. Three months' operation under the law has demonstrated the adaptability of such officers for much of this kind of work. Reconciliations have been effected, employment has been obtained, imprisonment has been averted, the expense of penal institutions has been reduced, the revenue of the city has been increased, liabilities have been prevented and good order in the community has been promoted far beyond the money value of the salaries these officers have drawn from the city.

“By appointing police probation officers the magistrates did not intend to confine, nor have they confined, themselves thereto. Several civilians, upon the recommendation and under the pay of charitable and philanthropic enterprises, have been appointed, and each is doing excellent work. It is difficult to determine which of the two—officer or civilian—is striving most to do the greatest good. It may be said that the combination has been eminently successful.

“For the purposes of this annual report a request was sent to each magistrate to select individual cases from those coming before him that would be illustrative of the operation of the law, and the response has been so generous and the cases so

numerous as to make selections extremely embarrassing. It has been thought best, therefore, to exclude particulars and to summarize the benefits and advantages that three months enforcement of the law have disclosed.

"They are as follows:

"First. Punishment without disgrace, and effective without producing embitterment, resentment or demoralization.

"Second. Punishment the judicial officer can accurately measure and devoid of contingencies that often bring inflictions wholly disproportioned to the crime committed.

"Third. Punishment that is borne solely by the guilty and displacing a system that frequently involved the innocent and helpless.

"Fourth. Punishment equally effective, attended by increased revenue to the city and by a saving in expense.

"The foregoing are practical, not theoretical advantages, and are being attained each day in the police courts of the city. It must be kept in mind, however, that the law has had a trial of but three months, and that with each magistrate it was entirely novel and its range of usefulness had to be explored experimentally. New and enlarged advantages will doubtless develop as the magistrates grow more familiar with its possibilities and study out means for its application.

"We have found the law sufficiently elastic to cover a class of cases evidently not within the minds of the draftsman, from which results so beneficial have been obtained as to warrant special mention.

"Disorderly persons, as defined in the first and second subdivisions of section 899 of the Criminal Code, strictly speaking, are not criminals, and the practice respecting them may be regarded, not as a prosecution, but as a special proceeding. Prior to the Probation Law, if the magistrates found there had been an actual abandonment, or that the husband did not provide according to his means, the Code required security for the payment of a weekly stipend for one year, and in default of furnishing the security the husband should be committed for a term not exceeding six months. Such a commitment in no wise benefited the wife and children, was an expense to the public, and suspended for the time being the productive energy of the husband. In many cases it meant great liability to the public; for if there were several children which the mother could not support, some or all of them had to be committed to charitable institutions at a charge on the revenue of the city of \$2 per week, or \$104 per year for each child. Under the new law we have substituted the probation officer for the bondsman, and

thereby enabled the husband to keep at work, and obtained for his family an equitable portion of his earnings. In this class of cases the law has been so efficacious that some of the magistrates have not found it necessary to commit a single disorderly person to the Workhouse since October 1st.

"We extend our thanks to those organizations that have furnished us, free of expense to the city, civilian probation officers; to the University Settlement, for Mr. Frederick A. King; to the Charity Organization Society, for Miss Ada Eliot; to the Salvation Army, for Mrs. Caroline L. Welsh; to the City Mission, for Mrs. Lettie A. Taylor, and to Mrs. John A. Foster as an individual volunteer."

PAROLE WORK.

One of the most important features of the work of the Prison Association is that of the legal custody and supervision of those released on parole from the Elmira Reformatory. During the year 1901, the Association has had in its custody, 344 paroled men. The method of conditional liberation adopted in these cases by the Reformatory marks a great change from the old system of releasing discharged convicts on a definite sentence. Under the rules of the Reformatory no inmate is eligible to parole until he has reached a certain grade in the institution and thereby made a certain record under the conditions of industrial and mental training and deportment prescribed. When thus eligible, his case is carefully considered by the board of managers and he is released on condition that remunerative employment with some reputable firm or person is obtained for him. To this end it is necessary that the friends of the prisoner should exert themselves on his behalf. Such exertions are usually rewarded by success, and some person is found who is willing to take the paroled man at a fixed rate of wages and for a definite time.

It is necessary, however, in order to prevent collusion and deception that such offer of employment should be carefully investigated. This work in the city of New York is conducted by the Prison Association. It is not left to the medium of correspondence, but an agent of the Association visits every

employer to ascertain if the offer of employment is genuine, and if the environment and conditions are favorable. Sometimes an applicant is fortunate in having three or four places open to him. In such cases, our agent selects the place which seems most promising. Occasionally the place offered is not considered desirable, and an unfavorable report is made and the parole deferred until a new position is found. It is only, however, when the conditions and the environment are decidedly unfavorable that an offer of employment is rejected. The managers of the reformatory, the inmates who are seeking conditional release and the agents of this Association are all too grateful to the business men of the community for the kindly interest they take in giving a new opportunity to paroled men to throw any obstacle in the way of the exertion of this generous, helpful spirit. Nothing is more helpful and encouraging in the attitude of society toward the discharged prisoner than this disposition on the part of employers to give a released man a chance to prove himself an honest and industrious member of society.

Very rarely our agent has been deceived by a "fake" place. Such an instance occurred during the last year. An offer of employment to an inmate of the Reformatory made as usual in writing was referred by the superintendent to this Association for investigation. Our agent visited the firm on one of the large business streets of New York. The offer was acknowledged and there was every reason to believe that the young man was fortunate in securing such a position. A favorable report was rendered; the prisoner was released and reported at our office on arrival. Subsequently our agent visited the establishment to learn how he was getting on. He was told that the young man was doing well, that he had gone out for an hour on business for the firm. A month later a similar assurance was given to our agent, but his suspicions were excited when the same reason was given for not finding him at work. Subsequent investigation showed that there had been a collusion between the proprietor and the prisoner; that the offer of employment was not a genuine one and that in reality the prisoner had not been

began life anew. They both retained their work, saved enough to start a home of their own and are now doing well. The young man's conduct for six months was exemplary, and the managers of the Reformatory granted him a final and absolute discharge at the expiration of that period. Both husband and wife thoroughly appreciate the efforts made on their behalf.

FRIENDLY SUPERVISION.

In a paper read by the corresponding secretary of the Association before the second conference of Charities and Correction of the State of New York attention was called to the need of supplementing official oversight of paroled prisoners by friendly visitation. A paragraph from the address referred to is here inserted:

"If it were possible to organize systematic volunteer supervision on the Swiss plan so that every paroled prisoner could be sure to have at least one friend when he came out in addition to any official parole officer the results would undoubtedly be highly beneficial. Official machinery cannot alone do a work which depends so much for its success upon personal consideration. A good feature of the parole system is that the community has an opportunity to cooperate with the State in trying to re-establish the offender in society. The prisoner is still under the surveillance of the prison administration and he is thus far in the grasp of the law, but he is also within the pale of society seeking to recover his moral poise, and society, which may have been in some way responsible in furnishing the unfortunate environment which led to his downfall, can do a great deal in furnishing those conditions of personal sympathy and industrial opportunity which may lead to his reformation."

DISCHARGED PRISONERS.

All prisoners who are released on parole are of course, physically speaking, released prisoners, but they are not discharged prisoners in a legal sense. Their status is different from that of the prisoner who has served his full time and who on going out received his absolute discharge. It is to be hoped that the indeterminate sentence will ultimately be extended to all prisoners, so that none will receive their absolute discharge



until after a period of conditional release. At present parole is the exception rather than the rule.

There is a radical difference between the relation to society of a prisoner who has completed his term and that of a man on parole. The prisoner with an absolute discharge is released whether he be a fit subject for release or not. He may have no home, no friends, no prospect of employment, but the law which forced him to go to prison on a certain day forces him to go out on another day, without regard to the consequences to him or to society. He is regarded as having paid his debt to the State, and the State has no longer any control over him. The paroled man, on the other hand, is not discharged until he is assured of work, which means also an assurance of food and shelter. For the paroled man there is no need of a "prisoners' home, with the evils which may result from gathering together men who ought to be separated. The paroled prisoner enters at once into natural and normal relations with society. His freedom, however, is conditional upon his good behavior. The State still holds over him the hand of authority, a salutary and restraining influence."

We have considered above the case of the paroled man. But what shall we say of the discharged prisoner who comes out at the end of a definite sentence as most prisoners do? As already said, he has finished his term and the State has no further hold upon him. The best that can be done under these circumstances is to visit the prisoner some weeks before his release, learn all about his age, relationship, education and whatever else will assist in re-establishing him in society. Appeals may be made to friends or relatives to furnish work or shelter, so that the man when discharged may have no dangerous period of idleness or homelessness. Visitation service in this way in the prison may be much more effective than deferring such service until the prisoner is released. At times all that is necessary to re-establish relations of self-support is to reconcile friends to the prisoner or to reconcile the prisoner to his friends.

Renewed emphasis is placed upon the importance of this work by the Prison Association. A few cases will illustrate its value. Two weeks before their release 20 prisoners were visited at Blackwell's Island. It was found that 15 of them practically needed no physical help from the Association. They had friends, families, or homes to which they might go on discharge. Several of them were poor, but they were not dependent. They appreciated the kindly spirit and friendly inquiries of the visitor. One man, a Hebrew tailor, living on the east side, said, "I have a wife and children to go to, and I can get work as soon as I get out. I think it will be better to help someone who needs it more than I do." In the cases of the five who needed help one needed a pair of shoes, another, who is a well-trained cook, needed a working suit of clothes. These were furnished at our office. Another man had to receive food and shelter. The other two needed to be put in relation with their friends. One was a young man, rather feeble mentally, who did not know whether his mother would be willing to receive him on his release. Our agent visited his mother, who was only too glad to have him come home. In another case a young man was not sure that he could go back to the reputable boarding-house where he had lived before and be trusted for a week or two until he obtained work. A visit to the landlady showed that she had much regard for her former boarder and was willing to help him to that extent. He soon secured work, and at last accounts was doing well. These young men did not need to come to our Association, but the service rendered them was far better than giving them meal tickets or lodgings.

Another case was that of a young man who had a married sister from whom he had not heard, and concerning whose attitude toward him he was doubtful. A note to the sister brought her to our office. She was affectionate and forgiving. Her younger brother went on his release to her home, instead of being left to shift for himself.

The most helpless of discharged convicts are those who have

no home, no trade and no friends except those who lead them into temptation and who may rather be called enemies than friends. The danger in such cases is that first offenders may soon lapse into chronic repeaters.

TEMPORARY AID.

Though much can be done to relieve prisoners from want and mendicancy by visiting them before they are released, there is need in every large community of some place where the prisoner who is a subject for temporary help or counsel may find it, and where a generous, helpful influence toward the erring can be exerted; this office is such a place.

During the last year there has been some falling off in the number of "rounders" who apply to us for aid. A cord of wood, a saw and buck in our cellar has had a discouraging effect upon some of the chronic cases, but applicants who are hungry and needy and desirous of obtaining employment are glad enough to submit to the work test. Only to a small extent is food distributed from the kitchen. None are lodged in our building. Arrangements have been made with respectable restaurants and lodging-houses, and meal and lodging tickets are given.

The table on another page will show the statistics of registration in our aid department during the year. Statistics, however, give but an inadequate idea of the results of work of this kind. A fuller presentation of the relief work of the Association was given in an article on "The Released Convict," by Charles M. Skinner, staff correspondent of the Brooklyn Eagle, being the concluding paper in a series on "The Prisons of the Nation and their Inmates," written by him for that journal. We are indebted to Mr. Skinner for taking the photographs, and to the publishers of the Brooklyn Eagle for permission to use the plates prepared from them showing the exterior and interior of our building. The unfortunate condition of the discharged convict is forcibly set forth by Mr. Skinner in his opening paragraphs.

ANNUAL REPORT OF THE

Category	From 1910 to 1911	From 1911 to 1912	From 1912 to 1913	From 1913 to 1914	From 1914 to 1915	From 1915 to 1916	From 1916 to 1917	From 1917 to 1918	From 1918 to 1919	From 1919 to 1920	From 1920 to 1921	From 1921 to 1922	From 1922 to 1923	From 1923 to 1924	From 1924 to 1925	From 1925 to 1926	From 1926 to 1927	From 1927 to 1928	From 1928 to 1929	From 1929 to 1930	From 1930 to 1931	From 1931 to 1932	From 1932 to 1933	From 1933 to 1934	From 1934 to 1935	From 1935 to 1936	From 1936 to 1937	From 1937 to 1938	From 1938 to 1939	From 1939 to 1940	From 1940 to 1941	From 1941 to 1942	From 1942 to 1943	From 1943 to 1944	From 1944 to 1945	From 1945 to 1946	From 1946 to 1947	From 1947 to 1948	From 1948 to 1949	From 1949 to 1950	From 1950 to 1951	From 1951 to 1952	From 1952 to 1953	From 1953 to 1954	From 1954 to 1955	From 1955 to 1956	From 1956 to 1957	From 1957 to 1958	From 1958 to 1959	From 1959 to 1960	From 1960 to 1961	From 1961 to 1962	From 1962 to 1963	From 1963 to 1964	From 1964 to 1965	From 1965 to 1966	From 1966 to 1967	From 1967 to 1968	From 1968 to 1969	From 1969 to 1970	From 1970 to 1971	From 1971 to 1972	From 1972 to 1973	From 1973 to 1974	From 1974 to 1975	From 1975 to 1976	From 1976 to 1977	From 1977 to 1978	From 1978 to 1979	From 1979 to 1980	From 1980 to 1981	From 1981 to 1982	From 1982 to 1983	From 1983 to 1984	From 1984 to 1985	From 1985 to 1986	From 1986 to 1987	From 1987 to 1988	From 1988 to 1989	From 1989 to 1990	From 1990 to 1991	From 1991 to 1992	From 1992 to 1993	From 1993 to 1994	From 1994 to 1995	From 1995 to 1996	From 1996 to 1997	From 1997 to 1998	From 1998 to 1999	From 1999 to 2000	From 2000 to 2001	From 2001 to 2002	From 2002 to 2003	From 2003 to 2004	From 2004 to 2005	From 2005 to 2006	From 2006 to 2007	From 2007 to 2008	From 2008 to 2009	From 2009 to 2010	From 2010 to 2011	From 2011 to 2012	From 2012 to 2013	From 2013 to 2014	From 2014 to 2015	From 2015 to 2016	From 2016 to 2017	From 2017 to 2018	From 2018 to 2019	From 2019 to 2020	From 2020 to 2021	From 2021 to 2022	From 2022 to 2023	From 2023 to 2024	From 2024 to 2025	From 2025 to 2026	From 2026 to 2027	From 2027 to 2028	From 2028 to 2029	From 2029 to 2030	From 2030 to 2031	From 2031 to 2032	From 2032 to 2033	From 2033 to 2034	From 2034 to 2035	From 2035 to 2036	From 2036 to 2037	From 2037 to 2038	From 2038 to 2039	From 2039 to 2040	From 2040 to 2041	From 2041 to 2042	From 2042 to 2043	From 2043 to 2044	From 2044 to 2045	From 2045 to 2046	From 2046 to 2047	From 2047 to 2048	From 2048 to 2049	From 2049 to 2050	From 2050 to 2051	From 2051 to 2052	From 2052 to 2053	From 2053 to 2054	From 2054 to 2055	From 2055 to 2056	From 2056 to 2057	From 2057 to 2058	From 2058 to 2059	From 2059 to 2060	From 2060 to 2061	From 2061 to 2062	From 2062 to 2063	From 2063 to 2064	From 2064 to 2065	From 2065 to 2066	From 2066 to 2067	From 2067 to 2068	From 2068 to 2069	From 2069 to 2070	From 2070 to 2071	From 2071 to 2072	From 2072 to 2073	From 2073 to 2074	From 2074 to 2075	From 2075 to 2076	From 2076 to 2077	From 2077 to 2078	From 2078 to 2079	From 2079 to 2080	From 2080 to 2081	From 2081 to 2082	From 2082 to 2083	From 2083 to 2084	From 2084 to 2085	From 2085 to 2086	From 2086 to 2087	From 2087 to 2088	From 2088 to 2089	From 2089 to 2090	From 2090 to 2091	From 2091 to 2092	From 2092 to 2093	From 2093 to 2094	From 2094 to 2095	From 2095 to 2096	From 2096 to 2097	From 2097 to 2098	From 2098 to 2099	From 2099 to 2100	From 2100 to 2101	From 2101 to 2102	From 2102 to 2103	From 2103 to 2104	From 2104 to 2105	From 2105 to 2106	From 2106 to 2107	From 2107 to 2108	From 2108 to 2109	From 2109 to 2110	From 2110 to 2111	From 2111 to 2112	From 2112 to 2113	From 2113 to 2114	From 2114 to 2115	From 2115 to 2116	From 2116 to 2117	From 2117 to 2118	From 2118 to 2119	From 2119 to 2120	From 2120 to 2121	From 2121 to 2122	From 2122 to 2123	From 2123 to 2124	From 2124 to 2125	From 2125 to 2126	From 2126 to 2127	From 2127 to 2128	From 2128 to 2129	From 2129 to 2130	From 2130 to 2131	From 2131 to 2132	From 2132 to 2133	From 2133 to 2134	From 2134 to 2135	From 2135 to 2136	From 2136 to
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"Like all else that pertains to the well being of the criminal, the matter of providing for him after he has been set free has received little attention from the people. Yet it is a thing of vital consequence. Shall he be allowed to learn evil in a prison, come back to us worse than when he went away, and be then expected to go virtuously to work in a district that he formerly depredated? If he were always sent to a reformatory we would expect good conduct from him, but then he is not always sent there. On the contrary, he is generally sent to a prison where the inducements to better living are unimportant.

"He returns to the world bleached with long confinement, blinking in the unaccustomed light, his trade forgotten or he grown rusty at it, his friends cold or repellent, if he has any. He has no money, or but a dollar or two, and he knows that if the fact of his imprisonment is discovered it will stand against him when he tries to obtain employment. He may have been living a life of isolation so long that the whole world has gone past him, and he goes back into a community that does not know him and that is surrounded by conditions he has hardly more than heard of.

"One convict who left Sing Sing a while ago and who returned to New York city had never seen, till that return, an elevated railroad, nor a trolley car, nor the Brooklyn bridge, nor the Statue of Liberty; the eight story tenements were new, the asphalt streets were something to wonder at, the saloons were more gorgeous and more orderly than they had been, Broadway, instead of being a proper sort of street with stages rocking and tumbling along the length of it, was a roaring canyon with 300-foot cliffs of masonry beetling over it, and cable cars were clanging, and there were arc lights everywhere, and it was all startling and even terrifying. This man was as an infant in a great Babylon, knowing not which way to turn nor what to do, and every convict who has served a term of several years is like him."

Describing some aspects of our work at 135 East Fifteenth street, Mr. Skinner says:

"Here a little company of shrewd, experienced, practical, yet sympathetic men meet the shorn and shaven delegates from the penitentiaries, prisons and reformatories, inquire into their needs and smuggle them into places. There is more work that such delegates can do than even they realize, when they regain their liberty. At first a test of some sort is put upon an applicant in order to see if he is sincere, or if he is a rounder or recidivist. If he appears to be unskilled and of the laborer class, he is put at work scrubbing floors. It is a curious fact

[illegible]

something, but it is thought that 50 per cent. of them reform. Some enthusiasts hold out for 75 per cent. And even the supposed habitual criminal may upset theories by becoming virtuous over night and staying that way till the end, sternly refusing all chances to throw up a good job and go back to stealing.

"There is, for instance, an architect not a thousand miles away who is making at least \$5,000 a year at his profession, and who is not generally known, as why, indeed, should he be, as Number blank from Clinton, where he served eight years for forgery. Then there is a mail robber, an awful man, who served his time, hung about the rooms of the Association for five months, got a place under the government he had robbed, and is now at the head of an important public department, which he serves faithfully, honestly and capably; indeed, he is a man who is not only trusted but respected for his intelligence and ingenuity. Then, what do you say to a professional pickpocket—the slickest fellow in the business; you had to give your watch to him whether you wanted to or not—who is a hotel detective earning \$2 a day, never straggling from the path of rectitude, trusted with everything about the place, and the terror of thieves. Yet that fellow served no less than eight terms in prison for thieving. There's hope in everything and for everybody.

"By its charter the Prison Association of New York is permitted to erect and carry on a workhouse for released convicts, but it has not deemed it wise to act on this provision. It would tend to keep rounders hanging about the place beseeching charity, and make them careless about looking for work elsewhere. It would also tend to bring them into their own society, which is unwise.

"The man who applies to the Association for help seldom lies. He knows it to be of little use. And he is generally willing to be square. He does enough work to pay for the tools, or to hold his claim on them, when work as a mechanic is provided for him, and he is anxious to escape from the world's ken. It is only the professional criminal, the man who deliberately chooses theft as a means of living, who is arrogant or revengeful. One such defiantly said to an agent, who, after the custom, visited him in prison just before his release, to inquire about his family and prospects, 'Yes, I can get work outside, but I won't take it. What do they give me? A dollar and a half a day. I'll steal first.' That is the kind of fellow that a more advanced society may permanently seclude from its advantages and deliberations, yet when that kind of man is a political boss, how tamely we put up with him!

"Regarding the mental attitude of the prisoner, it is surprising that so few of them show bitterness. Mr. Barrows says: 'In Sing Sing 48 in 50 of the men confess that they are justly punished. I find little of a revengeful attitude toward society, and even the judges and prosecuting attorneys are looked upon as necessary parts of the legal machinery, who act without prejudice. Sometimes, however, you will find that some one person has aroused a convict's enmity, and there are threats of retaliation; but usually it is a witness for the prosecution, or the complainant, and not the officers of the law, who are held in such dislike.' And when a complainant shows uncharity, do you wholly blame the convict that he feels a little more than sorry and a little mad? Here, for example, is a lad of 19, who has been serving a half-year sentence for appropriating \$5 from his employer. He yielded to a sudden temptation and was afterward sorry and ashamed. He would have paid the money back and possibly will do so yet. But the punishment was disproportionate. This was a case for the probation officer, not for a jury. His six months in the penitentiary were months of greater heaviness because he never heard in that time from his relatives and supposed they had refused to have anything further to do with him, though it happened merely that they had supposed themselves barred from seeing or writing to him in prison.

"Friendly visits are made from time to time by officers of the Association to men who have reformed, to befriend and encourage them. One day an ex-convict drove to the office in his carriage and said that the Association had helped him. Now, he wanted to pay out some of the money he had honestly earned, in befriending some one else.

"It is not to the credit of this country that so little is done to help the convict who wants to lead a better life, and that so much is done by men hoggish of their privileges to keep him down in the life wherein he finds himself. The cowardice of American officials in dealing with questions that are likely to bring them in conflict with organized labor and their indifference to the opinions of that far larger class that represents unorganized labor is a bar to progress in prison management. It prevents the proper employment and training and teaching of prisoners and disqualifies them for useful life after release. There is a little broader spirit in Europe, and it has been found by Mr. Barrows that where work is active for the betterment of discharged convicts there are fewer recommitments to prison; hence a lighter burden for the taxpayer to bear; that where such associations exist there is a better prison management and more active preventive measures; that the tendency of an association is to liberalize public sentiment and that of the



WHERE CONFERENCES
WITH DISCHARGED
PRISONERS ARE HELD



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various methods none promises better than the Swiss, in which every discharged convict, who is not an habitual criminal, may have a patron who shall be to him a guardian and friend.

"Some day we shall not unlikely seclude or exile the incurable offenders—there are not many of them—and to the others we may, with a good grace, extend a helping hand, realizing that, in spite of their faults, which are often exaggerated, they are men and brothers."

GRATEFUL RECIPIENTS.

As to the question raised in the previous article whether recipients of aid are really grateful, it may be said that many prisoners are not demonstrative, but they appreciate nevertheless what is done for them. Many of them are not capable of writing, but those who are sometimes take the pains to send their thanks. Here is such a letter:

Dear Sir.—Though the position I got is only temporary, I hope it will last long enough to put me on my feet again.

I am grateful to the N. Y. P. A. for the humanitarianism shown in my case, and thank you in particular for your kindness and consideration in helping me to keep my head above water in my struggles.

From now on it will be sink or swim, but I do hope to have the pleasure of seeing you again, under brighter circumstances.

Yours truly,

M. D.

P. S.—I got the shirt from L., thank you.

A man came to us who had not only been in prison, but had been sick while there. He was discharged in cold weather and needed clothing. He was given an overcoat and other garments.

We received a few days after, the following letter:

My Dear Sir.—So long as you forgot to tell me your name when I got my coats, I know you will excuse the abruptness. I looked so spruce and up-to-date that I fully hope to be settled by some time to-morrow, having had two promises to that effect, but of course want to wait till I get there before being too thankful.

Now what I would like to know is, can you aid me with two or three bowls of soup till I see where I am at? My last penny is gone and I had only a cup of coffee and two crullers to-day for all day, unless some good angel meets me before night time. I am not ashamed to go into any office now, but the "inner man" is causing trouble. I want to tell you I more than appreciate

THE TREATMENT OF THE CRIMINAL.

REPORT OF THE COMMITTEE OF THE NATIONAL CONFERENCE OF CHARITIES AND CORRECTION, BY CHARLTON T. LEWIS, LL.D., CHAIRMAN.

PRESENTED AT THE MEETING AT WASHINGTON, D. C., MAY 15, 1902.

In this generation a complete revolution is rapidly taking place in the method of dealing with criminals on the part of organized society. Through the greater part of the nineteenth century the animating principle in such dealings has been the punishment of offences; that is to say, the primitive and traditional impulse to inflict injury as a recompense for wrong has been accepted in social and legal life, and made the basis of legislation and administration. The principle has found support in religious feelings and theological notions, which are partly innate and partly traditional. It has been carried very far, and many penal codes have been formed upon the theory that it is possible to define crimes and misdemeanors, to appportion to each by name its relative guilt and to affix to each a grade of punishment proportioned to its guilt. The absurdity of this entire system of thought has no doubt been clearly seen by many thoughtful minds from the first; and various theories have been devised to support the penal systems founded upon it, independently of the doctrine of retribution. The only one of these which can be said to have taken root in the general mind is that the object of the punishment of criminals is to deter others from committing similar offences. It is assumed that whenever a man commits a crime it is the right of society to make him an example, to use him as a means of preventing others from offending. The theory is frequently illustrated by the story of a British judge who, when the horse thief remonstrated against the sentence that he be hanged, answered, "I

hang you not for stealing a horse, but that horses may not be stolen."

This notion, however, is so confusing to the moral sense that it has never commended itself to philosophic thinkers. Moreover, an appeal to facts fails to justify it. It is known to all who have carefully studied the criminal class, their instincts, habits and motives, that the instances in which men are deterred from crime by the apprehension of legal punishment are but few. Such penalties may have some deterrent effect upon those who already have strong influences for good in their social position and associations, but not to any important extent upon habitual criminals.

In the light of social science our penal codes are without consistency or justification. And if these codes are considered historically the investigator is surprised to find that they have never been founded upon a reasoned system of thought, but have grown up as the result of circumstances and accidents. It is but a few generations since imprisonment as a penalty for offences may be said to have been unknown. The punishment for crime consisted of whipping, of the pillory, of personal mutilation, of exile, of fines. Prisons were used to detain prisoners and witnesses, but the imprisonment itself was not regarded as a penalty. As customs became mitigated and refined, and as the barbarism of the penalties commonly inflicted began to revolt the growing spirit of humanity, imprisonment gradually took the place of other punishments, until in most of the penal codes of the civilized world it is now either exclusively or almost entirely substituted for physical suffering. In recent years attempts have been made by able legislators and thinkers to graduate more accurately the degrees of criminality involved in particular offences, to define them with greater care and to proportion the penalties to them with more relation to current conceptions of justice. But every such effort is in its nature condemned to failure. It has become more and more obvious that a particular act legally defined as an offence, proved to a jury, and made the basis of a verdict of

guilty and of the sentence of the court, can in no case furnish a measure of the desert of him who commits it. The grossest inequalities in the terms of imprisonment assigned to particular offences are found in the comparative legislation of different States, and inequalities no less great in the judicial administration of each State where a discretion is intrusted to the judge. No classification of offences can constitute a classification of offenders; and the effect of a period of imprisonment upon the mind and character of a prisoner can in no case be foreseen, nor can it be assumed that the effect, whatever it be, is proportionate to the length of the imprisonment.

Meanwhile the positive evils of the system of wholesale imprisonment of offenders, as now generally practised, become more prominent the more they are studied. Practically, the vast majority of our prisons are but schools of criminality. Nearly the whole of the criminal class, recognized as enemies of society, are the graduates of these schools. Imprisonment in itself has no good effect upon the prisoner's character. It furnishes no stimulus to good conduct or check upon evil motives; but it is an unnatural life, and the vast majority of those who are condemned to it degenerate under its influence. Add to this that even if it were the most wholesome and beneficial life of which the inmates of the prisons are capable, yet the practice of consigning them to it for a time predetermined without regard to individual character or special circumstances, solely in reference to the name which the law assigns to the particular act, would rob it of all its value. If it be assumed that the effect of prison life is good upon the character, then imprisonment should be applied for just so long a time as it will continue to be beneficial.

But the entire subject, in order that it may be comprehended as a consistent whole, must be studied upon the basis of recognized principles of social science. The object of the dealings of society with crime is to protect society against the criminal, to eliminate crime. If this be admitted, it is obvious that, if prisons are to find a place in the system of criminal juris-

[illegible][illegible][illegible]

SECRET

3. ~~SECRET~~

1. *Phragmites australis* (Cav.) Trin. ex Steud.

• - OTHER:

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1601 UV-Visible Spectrophotometer.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

THEORY

• **Wavelength** is the distance between two consecutive peaks or troughs of a wave.

CHRYSLER



THE PRINTING
OFFICE.

PRISON SUNDAY.

The National Prison Association of the United States, while under the presidency of the late Rutherford B. Hayes, ex-President of the United States, feeling the vast importance of securing the co-operation of the great body of churches and church members in giving effect to its fundamental principles of the protection of society and the reformation of the prisoner, urged the churches of the United States to set apart the last Sunday in October as prison Sunday. The invitation was accepted in a number of States, and has become a regular feature of the early calendar of some of the churches. In order to call attention to this day and advise its observance by the churches a circular was sent out by this Association to about six hundred ministers and churches in the State. One object of the day is to thoughtfully and carefully consider every aspect of the problems of crime; another object is to enlist sympathy for the prisoner and to secure better support for the organizations which are working for his reformation.

The number of churches which responded to this appeal was small compared with the number addressed. The disbursement for postage, printing, and labor amounted to \$99.17, and the collection received from the churches amounted to \$119.56, leaving a balance of \$20.39. Financially considered the return was small, but the educative value of observing such a day in diffusing information and developing public sentiment cannot be estimated in dollars and cents.

It is not always convenient for churches and ministers to keep the date assigned, and in some instances sermons on various aspects of penology have been preached on other Sundays of the year, and contributions have been made at other times.

It is a pleasure to note the prominence which was given to

the day and the theme in St. Andrew's Episcopal church in Rochester. The sermons delivered by the rector, Rev. A. S. Crapsey, D. D., at both the morning and evening services of this church were devoted to the subject, his morning theme being "Prison Material," and the evening theme "Prison Methods." Both of these sermons were printed in full, the morning sermon in the Rochester *Democrat and Chronicle*, and the evening sermon in the Rochester *Union and Advertiser*.

In his morning discourse Dr. Crapsey presented various conditions and influences which are fruitful sources of prison material, emphasizing inheritance, environment, personal neglect and bad laws. He called attention to criminology as "a science to which noble minds are giving themselves just as noble minds have always given themselves to the study of medicine and the practice of surgery."

In his evening discourse Dr. Crapsey set forth with great clearness and effectiveness principles and methods which are essential to the reformation of the prisoner. As this sermon was delivered in answer to the request of this Association, and as it is admirably adapted for instruction and inspiration, we present it here in full:

PRISON METHODS.

SERMON BY REV. ALGERNON S. CRAPSEY, D. D., OF ST. ANDREW'S
EPISCOPAL CHURCH, ROCHESTER, N. Y.

Rev. Algernon S. Crapsey, in compliance with a request of the New York State Prison Association, preached a sermon on prison reform from the following text: "I was * * * sick and in prison and ye visited me not." Matthew xxvi, 43. The preacher said:

As one crosses the Bridge of Sighs from the Doge's Palace to the prison of old Venice and goes down into the dungeons there he wonders what kind of men they were who put their fellow men in such dark and loathsome places. It seems to us of to-day that the real criminal was not the man in the dungeon but the man who put him there.

We have the same feeling when we read of the rack and the thumb screw, of the beatings and the branding, of the breaking on the wheel and the burning at the stake, which were the tortures and the punishments inflicted upon the victims of the law in ancient and mediæval times. We are glad that we were not born in those days of darkness and cruelty.

The modern world differs greatly from the ancient and mediæval in its conception of crime and in its attitude toward the criminal. It looks upon crime as partly the fault of the criminal and partly the fault of the society which produces him. In thinking of the criminal it takes into account his inheritance and his surroundings, and finds, if it can, mitigating circumstances which commend the offender to a merciful judgment. In the estimation of modern thought no man can be so bad as to lose all his rights as a man. Even the lowest are to be treated as human beings.

PURPOSE OF PUNISHMENT.

Whatever punishment a criminal may have to endure, is or ought to be inflicted upon him for his own good. Its purpose is not vengeance, but reformation. It is or should be the intention of the law to correct the bad habits and root out the evil principles from the heart and life of the prisoner, and so to make a repetition of his bad actions impossible. In dealing with a criminal the State may also have in view the good of society. It may inflict punishment as a warning to others that they may take care not to follow the evil ways which have brought the prisoner to his doom.

It is only recently that prisoners have been looked upon as objects of pity and commiseration. Prison reform really dates from the latter part of the eighteenth century. It was John Howard who first roused the attention of western christendom to the frightful condition of its prisons. This good man becoming acquainted, as a peace officer of his county, with the abuses of prison life, spent his time and strength in the interests of the poor wretches whom the law of the land cast into foul dens and left to the tender mercies of brutal jailors. From the days of John Howard and his immediate successor in the work of prison reform, Elizabeth Fry, the improvement of prison conditions and the salvation of the prisoner have engaged the thoughts and enlisted the efforts of the wisest and best men and women in the world.

DECREASE OF PRISON POPULATION.

The consequence of all this effort is seen in the more humane treatment of prisoners and in the decrease of prison population. According to the report of the New York State Commission of Prisons, the prison population of the State of New York on the 1st of October, 1900, was 10,761. In 1895 the same population was 12,661, showing a decrease of 1,900 in five years. These figures include all prisoners, those confined awaiting trial as well as those who are serving under sentence of the court. The

State Commission says: "Had the population of the penal institutions kept pace with the increased population of the State since 1895 the inmates of the prisons would have been approximately 15,000, instead of 10,761. The cost to the State and counties of arresting, convicting and maintaining 4,000 additional prisoners would be approximately \$800,000 annually." Here certainly is a fact which should encourage every lover of mankind. We can safely say that the prison population of the country is steadily decreasing; fewer and fewer men each year become liable to the penalty of the law.

CAUSES OF IMPROVEMENT.

The cause of this improved state of affairs is doubtless to be found in the better conditions of life prevailing in the United States. The public schools, with their more reasonable methods of teaching, the prosperous condition of the commercial world, the taste for athletic and outdoor sports, all contribute to the general improvement of morality and the diminution of crime. But this desirable result is due also to the wiser methods of dealing with incipient criminals. Officers of the law are careful not to press a criminal charge against a man, and especially a young man, if they can avoid it. I have known officers of the law to take great and proper pains to save a man from the shame of arrest and imprisonment.

This may of course be done from a bad motive, and in the interest of the criminal, but in the cases I have in mind the officer acted from the best motives and for the highest good of society. Every officer of the law knows that the worst place in the world to send a man is to prison, and so does what he can to prevent it. And when a man is arrested and confesses his guilt the court keeps him out of prison if it can possibly do so. Sentence is suspended and the offender is allowed to go out on parole. There is an officer appointed to look after these men, to help them in every way to regain their place in the world. This humane system, which is now well organized in the State of New York, does much to keep down the prison population.

Another device of the law which is very helpful in shortening the term of prison residence is what is known as the indeterminate sentence. The sentence names the shortest period a man must serve, and the longest that he may serve. But within that period he may be discharged at any time by the prison authorities if they are convinced that he is ready for liberty. These and other like provisions of the law show that the steady tendency of legislation looks to the reformation of the prisoner, and not simply his punishment.

WHAT REMAINS TO BE DONE.

But although much has been done, much still remains to be done in the way of improving our prison methods. In the good old times if a man was taken sick, the first thing the doctors did was to bleed him. By this process they made a weak man weaker and lessened his chances of recovery. Many a man was sent in this way to an untimely grave. Now we are pursuing the same course with regard to the criminal. He is a man who has little self-respect, and by our prison methods we take away what little he has. We degrade him in his own eyes and in the eyes of all who see him. We very often put him under the charge of brutal men and subject him to degrading treatment, and then in due time turn him loose upon the world a confirmed criminal. The prison has completed the work of demoralization.

Our prisons themselves contribute to this deplorable result. They are great, gloomy piles in the center of some population, or surrounded by a large rural population. Their very walls speak of misery and shame and degradation. Some of these prisons have been standing for years, and are saturated with vice and wickedness. The very stranger walking through their corridors feels himself contaminated. Those corridors are haunted by the memory of countless crimes.

Prison officers are, too frequently, men by no means calculated to elevate the moral and spiritual tone of the prisoner. They are without special training, appointed too often for political

cal reasons, and think of the prisoners as simply a means of livelihood. The one thought of such officials is their own ease and their own dignity. They have absolute authority over the prisoners in their charge, and many a story could be told of insult and outrage visited by some brutal keeper upon some prisoner far less brutal than himself.

EVILS OF ENFORCED IDLENESS.

Another and most fruitful cause of prison degradation is the enforced idleness of the prisoners. It is almost impossible to speak of this outrage upon humanity in measured terms. One despairs of mankind when he knows that the Legislature of a great State, in obedience to a popular clamor that was without reason, forbade the prison population to engage in useful and profitable employment. Such a law is a disgrace to our statute books and should be removed at once. If there were abuses under the old contract system, let such abuses be corrected; let the State itself employ these wards of the State in useful and profitable work. The State prisons instead of being a source of expense should be profitable to the State, these 10,000 men should earn their own living, pay the expenses of their arrest and conviction and have beside a sum greater or less at their disposal when they leave the prison.

By idleness and by solitude we are doing all we can to complete the ruin of those who are already near enough to destruction. In our own penitentiary, which is accounted one of the best in the State, the officials of which are men who are trying to do their whole duty by the prisoners committed to their care and who deplore as much as I do the system which they are compelled to enforce, the men are locked in their cells at 6 o'clock in the summer and at 5 in the winter and are kept there until 7.30 the next morning—from twelve to thirteen hours in absolute idleness and solitude. It is appalling. I know that if I were subjected to such treatment for six months I should be a moral wreck and my constant wonder is that the moral nature is able to survive such an experience and the prisoner ever

recover his moral tone. One is almost ready to say that the ancient system of torture was better than this. The tortured man was ennobled and purified by his pain. But what shall we say of a system which keeps a man well fed, deprives him during the day of useful and tiring occupation and then shuts him up from early candle-light of a winter evening until sunrise the next morning, in a narrow cell with no other companion than his own evil thoughts? Words cannot describe the wicked folly of such a system.

LINES OF PROGRESS.

We suggest as lines of progress in prison methods first the careful preservation of the self-respect of the prisoner. His dress should not be a badge of degradation. The striped suit which has so long been the prison garb should give place to a uniform that has not its evil associations, a uniform of which the prisoner could be proud instead of ashamed. The prisoner should not be subjected to any shameful personal treatment. Anything like unnecessary exposure should be avoided. The discipline of the prison should be as far as possible military. The prisoner should have his morning roll call and his evening parade. He should be called by his name, not by a number. He should be made to feel every day that he is a man, capable of manly deeds.

Prisons should never be built near centers of population. They should be in remote parts of the country, in the midst of a large acreage of ground, surrounded by stockades, guarded by sentinels and away from the reach of curious people. The State of New York should destroy at once its two prisons at Sing Sing and Auburn. These prisons are reeking with criminality and are foul with evil associations; their names are names of evil omen. They should be leveled to the ground and in their stead should be built houses in the midst of green fields, where the influences of nature would aid in the restoration of the moral health of the prisoners. I was speaking to one of our

wisest judges and he said that the destruction of Auburn prison could not come too soon for the good of the State.

It is absolutely necessary that the officials of the prisons should be men trained to their work. It would be just as sensible—yes, far more sensible—to commit the care of a hospital to some farmer or lawyer or merchant or political worker, as it is to commit the care of our prisons to such men as these.

No man should be thought of for prison employment until he has been schooled to his work. There should be institutions for the training of prison officials, all except the very lowest workmen should have a knowledge of criminology, and they should look upon their business with all the pride of a professional. They are dealing with moral and spiritual disease; they should be physicians of the conscience and of the soul. No great improvement can be looked for in prison life until every prison official is trained to his work and looks upon it as a profession.

The proper employment of the prisoner is absolutely necessary to any hope of his moral recovery, and any employment that will benefit his moral nature must be useful and profitable. Mere carrying of stones from place to place or walking round in a circle can do nothing but degrade the man who does it. A prison should produce all that it consumes. Its food, its clothing, its furniture of all kinds, should be made in the prison and by the prisoners. The most approved machinery should be used in this work. The prisoners should be trained in the various arts and industries. They should be made to understand that if they would eat they must work, and that their comfort in the prison and their speedy discharge from it would depend on the quality and quantity of their work. No other mode of discipline can ever take the place of the discipline of nature which is the discipline of work.

Nature says work or starve. To escape starvation men go to work, and by means of their work their whole nature is developed. This should be the method of training in the prison as it is in the outside world.

CITIZENS AND PRISONERS.

We have now to consider in conclusion the relation of the citizens of the State to the prisoners of the State. These two are members of the same organic society. They act and react on each other. At present they are natural enemies. The criminal preys upon the citizen and the citizen avenges himself upon the prisoner. This warfare will continue until the citizen looks upon the prisoner, not altogether as an enemy, but as an erring brother, and gives him a chance to earn an honest living in the world. Prison associations stand in this attitude toward the prisoner. The men and women of these associations wait at the door of the prisons and receive the discharged prisoner as a friend and give him a helping hand and in this way try to change him from a criminal into a law-abiding citizen. Let the present good work go on and the time must come when the prison will pass away with the rack and the thumbscrew.

That day may be far away, but it is a day to dream of, to work and to pray for. By showing kindness here and there to a brother who has fallen we shall ourselves hasten the day when the prisoner shall go forth from his prison house to walk in the light and the air of the world which God has made, a free man among free men.

NEW LEGISLATION.

The corresponding secretary, Samuel J. Barrows, has contributed to the bulletin prepared by the New York State Library a review of new legislation enacted throughout the country concerning crimes and offenses. This review, with that of many other writers covering the whole field of legislation in the United States in the year 1901, is published by the University of the State of New York. It is not thought necessary to repeat it here. As there is much interest, however, in other States in regard to the subjects of probation, the indeterminate sentence and parole, we present the text of laws passed by the Legislature of New York in the year 1901 on these subjects.

THE PROBATION LAW.

The following is the full text of the Probation Law of New York, passed April 17, 1901, to go into effect September 1, 1901. To facilitate comparison with the older portions of the Code of Criminal Procedure which this act amends, the new matter is underscored.

Laws of New York, Chap. 372.

AN ACT to amend the code of criminal procedure, relating to the appointment of probationary officers and defining their duties.

Became a law, April 17, 1901, with the approval of the Governor. Passed, a majority being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Title one, part one of the code of criminal procedure is hereby amended by adding thereto a new section to be known as section eleven-a, to read as follows:

§ 11a. 1. The justices of the courts having original jurisdiction of criminal actions in all the cities of the state, shall from time to time appoint a person or persons to perform the duties of probation officer as hereinafter described, within the jurisdiction and under the direction of said court or justice, to

hold such office during the pleasure of the court or justice making such appointment. Such probation officer may be chosen from among private citizens, male or female, clerks or assistants of the court making the appointment, or from the officers, deputies, assistants or clerks of the district attorney's office in the county wherein the court making the appointment is held. Any officer or member of the police force of any city or incorporated village who may be detailed to duty in such courts, or any constable or peace officer, may be employed as probation officer upon the order of any court or justice as herein provided. No probation officer appointed under the provisions of this section shall receive compensation for his services as such probation officer, but this shall not be construed to deprive any court clerk or court assistant or any officer, deputy assistant or clerk of a district attorney's office, or any officer or member of the police force, or any constable or peace officer, appointed probation officer as herein provided, from receiving the salary or compensation attached to his said official employment.

2. Every probation officer so appointed shall when so directed by the court, inquire into the antecedents, character and offense of persons over the age of sixteen years arrested for a crime within the jurisdiction of the court appointing him, and shall report the same to the court. It shall be his duty to make such report of all cases investigated by him, of all cases placed in his care by the court, and of any other duties performed by him in the discharge of his office, as shall be prescribed by the court or justice making the appointment, or his successor, or by the court or justice assigning the case to him, or his successor, which report shall be filed with the clerk of the court, or where there is no clerk, with the justice thereof. He shall furnish to each person released on probation committed to his care, a written statement of the terms and conditions of his probation, and shall report to the court or justice appointing him, any violation or breach of the terms and conditions imposed by said court, of the persons placed in his care. Such probation officers shall have, as to the persons so committed to their care, the powers of a peace officer.

§ 2. Sections four hundred and eighty-three, four hundred and eighty-seven, nine hundred and forty-one, nine hundred and forty-

two, nine hundred and forty-three and nine hundred and forty-six of the code of criminal procedure, are hereby amended to read as follows:

§ 483. After a plea or verdict of guilty, in a case where a discretion is conferred upon the court as to the extent of the punishment, the court, upon the suggestion of either party that there are circumstances, which may be properly taken into view, either in aggravation or mitigation of the punishment, may, in its discretion, hear the same summarily at a specified time, and upon such notice to the adverse party as it may direct. At such specified times, if it shall appear by the record and the circumstances of any person over the age of sixteen years convicted of crime, that there are circumstances in mitigation of the punishment, the court shall have power, in its discretion, to place the defendant on probation in the manner following:

1. If the sentence be suspended, the court upon suspending sentence, may direct that such suspension continue for such period of time, and upon such terms and conditions as it shall determine, and shall place such person on probation under the charge and supervision of the probation officer of said court during such suspension.

2. If the judgment is to pay a fine and that the defendant be imprisoned until it be paid, the court upon imposing sentence, may direct that the execution of the sentence of imprisonment be suspended for such period of time, and on such terms and conditions as it shall determine, and shall place such defendant on probation under the charge and supervision of the probation officer during such suspension, provided, however, that upon payment of the fine being made, the judgment shall be satisfied and the probation cease.

3. At any time during the probationary term of a person convicted and released on probation in accordance with the provisions of this section, the court before which, or the justice before whom, the person so convicted was convicted, or his successor, may, in its or his discretion, revoke and terminate such probation. Upon such revocation and termination, the court may, if the sentence has been suspended, pronounce judgment at any time thereafter within the longest period for which the defendant might have been sentenced, or, if judgment has been pronounced and the execution thereof has been suspended, the

court may revoke such suspension, whereupon the judgment shall be in full force and effect for its unexpired term.

§ 487. If the judgment be imprisonment, or a fine and imprisonment until it be paid, the defendant must forthwith be committed to the custody of the proper officer, and by him detained, until the judgment be complied with. Where, however, the court has suspended sentence or where after imposing sentence, the court has suspended the execution thereof and placed the defendant on probation, as provided in section four hundred and eighty-three of the code of criminal procedure, the defendant if over the age of sixteen years, must forthwith be placed under the care and supervision of the probation officer of the court committing him, until the expiration of the period of probation and the compliance with the terms and condition of the sentence or of the suspension thereof. Where, however, the probation has been terminated, as provided in paragraph four of section four hundred and eighty-three of the code of criminal procedure, and the suspension of the sentence or of the execution revoked, and the judgment pronounced, the defendant must forthwith be committed to the custody of the proper officer and by him detained until the judgment be complied with.

§ 941. Within ten days after the adjournment of any criminal court of record in this state, the district attorney of the county in which the court shall be held, shall furnish to the clerk of the county a certified statement containing the names of all persons convicted of crime in said court; the crime for which convicted; whether the conviction was upon a trial or upon a plea of guilty and whether sentence was suspended or the defendant placed on probation; the cases in which counsel were assigned by the court to defend the defendant; the sex, age, nativity, residence, and occupation of the defendant; whether married or single; the decree of education and religious instruction; whether parents are living or dead; whether temperate or intemperate, and whether before convicted or not of any crime, and any other information regarding them as may seem to him expedient. If necessary in order to obtain information of these facts, the defendant may be interrogated upon oath in court by the district attorney before judgment is pronounced. He shall also furnish to the clerk of the court a certified statement containing the names of all probation officers appointed by the court, with their address and date of appointment.

§ 942. The clerk or the deputy clerk of the court of special sessions in the city and county of New York shall on or before the first day of February, eighteen hundred and ninety-five, and quarterly thereafter, transmit to the secretary of state a tabulated and certified statement, in the form prescribed by the secretary of state, containing the name of every person convicted of a crime, of every person against whom sentence was suspended, and of every person placed on probation in such court, after October thirty-first, eighteen hundred and ninety-four, and since the date of the closing of each last preceding quarterly report; a description of the offense of which such person was convicted; whether the conviction was upon a trial or upon a plea of guilty; and the date of the conviction; and also a certified statement containing the names of all probation officers appointed by the court, with their address and date of appointment. The police clerks of the city magistrates of the city of New York, shall on or before February first, nineteen hundred and one, and annually thereafter, transmit to the secretary of state, a tabulated statement made from their records, showing the number of males and females convicted of crime during each month in the preceding quarter in the several courts of such city magistrates; the number convicted of each offense, the number sentenced, the number fined, the number of those against whom sentence was suspended, and the number placed on probation; and shall also furnish a certified statement containing the names of all probation officers appointed by the magistrates, with their address and date of appointment. Such statements shall be in the form prescribed by the secretary of state.

§ 943. On or before the first day of February, eighteen hundred and ninety-five, and quarterly thereafter, the clerk of each county shall transmit to the secretary of state a tabulated and certified statement, in the form prescribed by the secretary of state, of all the matters contained in the statements filed with such clerks by the district attorney of such county after October thirty-first, eighteen hundred and ninety-four; and of the name of each person shown to be convicted by a court of special sessions by the certificate of conviction filed with him by magistrates holding courts of special sessions after October thirty-first, eighteen hundred and ninety-four, and since the date of the closing of each last preceding quarterly report made after October thirty-first, eighteen hundred and ninety-four, and showing the offense for which each person was so convicted; whether the conviction was upon a trial or upon a plea of guilty; the sen-

tence imposed, whether the sentence was suspended, and whether the defendant was placed on probation. Said certificate shall also contain the names of all probation officers appointed by said courts of special sessions, with their address and the date of their appointment.

§ 946. The secretary of state shall cause this title to be published with forms and instructions for the execution of the duties therein prescribed, and copies thereof to be furnished annually to each county clerk. The forms furnished by the secretary of state as herein provided, shall contain in tabulated form, the nature of every offense upon which a conviction was had, the court before which the defendant was convicted, the character of the sentence imposed, the cases where defendant had been previously convicted, the cases where sentence was suspended, the cases where the defendant was placed upon probation, and the cases where the probation was revoked, together with the age, sex, nativity and residence of the defendant. And a sufficient number of the copies of this title, and of such instructions, and of the forms to be used by the district attorney, or clerk or deputy clerk of the court of special sessions of the city and county of New York, shall also be furnished to each clerk to enable him to furnish at least one copy thereof annually to the district attorney, and the clerk of the court of special sessions of the city and county of New York and the county clerk shall distribute the copies of this title and of such forms and instructions accordingly, and when said county clerk is not a salaried officer his disbursements and compensation for his services under this act shall be a county charge. The expense of the secretary of state in publishing this title and distributing copies thereof, and of such forms and instructions as are herein required, shall be paid by the treasurer of the state, upon the warrant of the comptroller, from moneys in the treasury not otherwise appropriated.

§ 3. All acts or parts of acts inconsistent with the provisions of this act, in so far as inconsistent therewith, are hereby repealed.

§ 4. This act shall take effect September first, nineteen hundred and one.



THE
KITCHEN.

PAROLE LAW.

Chapter 260.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections seventy-four, seventy-five and seventy-six of title two of chapter three of part four of the revised statutes relating to state prisons as amended by chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, are hereby amended so as to read as follows:

§ 74. Every person now confined in a state prison, or in the Eastern New York Reformatory, under sentence for a definite term for a felony, the maximum penalty for which is imprisonment for five years or less, exclusive of fines, who has never before been convicted of a crime punishable by imprisonment in a state prison shall be subject to the jurisdiction of the board of commissioners of paroled prisoners and may be paroled or discharged in the same manner and subject to the same conditions and penalties as prisoners confined under indeterminate sentences. The minimum and maximum terms of the sentences of said prisoners are hereby fixed and determined to be as follows: The definite term for which each such person is sentenced shall be the maximum limit of his term and one-third of the definite term of his sentence shall be the minimum limit of his term.

§ 75. The members of the state commission of prisons shall hereafter constitute a board of commissioners for paroled prisoners for the state prisons and the Eastern New York Reformatory and the board of parole constituted by section two of chapter three hundred and forty-eight of the laws of nineteen hundred for the Eastern New York Reformatory is hereby abolished. The superintendent of state prisons shall appoint a parole officer for each prison. It shall be the duty of such officers to aid paroled prisoners in securing employment and to visit and exercise supervision over them while on parole and they shall have such authority and perform such other duties as the board of commissioners for paroled prisoners may direct. The salary of each parole officer shall not exceed twelve hundred dollars per annum, which together with his actual and necessary traveling expenses, shall be payable from the maintenance fund of the prison to which he is assigned.

§ 76. A majority of the board of commissioners of paroled prisoners shall constitute a quorum for the transaction of business and they shall meet upon dates to be fixed by them in the months of January, April, July and October in each year, and

at such other times as they may deem necessary. Each prisoner confined in a state prison, or in the Eastern New York Reformatory, may upon the expiration of the minimum term of his sentence make application to the board, in writing and in such form as they may prescribe, for his release upon parole, or for an absolute discharge as hereinafter provided, and said board is hereby prohibited from entertaining any other form of application or petition for the release upon parole or absolute discharge of any prisoner.

§ 2. Nothing herein contained shall affect the right or liability of convicts to earn or forfeit commutation of sentence as provided by chapter twenty-one of the laws of eighteen hundred and eighty-six.

§ 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 4. This act shall take effect September first, nineteen hundred and one.

INDETERMINATE SENTENCE.

Chapter 425.

AN ACT to amend the penal code relating to the sentencing of convicts to state prisons.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Title eighteen of the penal code is hereby amended by inserting a new section, to be known as section six hundred and eighty-seven-a, and to read as follows:

§ 687-a. A person never before convicted of a crime punishable by imprisonment in a state prison, who is convicted in any court in this state of a felony, the maximum penalty for which, exclusive of fines, is imprisonment for five years or less, and sentenced to a state prison, shall be sentenced thereto under an indeterminate sentence, the minimum of which shall not be less than one year, or in case a minimum is fixed by law, not less than such minimum, and the maximum of which shall not be more than the longest period fixed by law for which the crime is punishable of which the offender is convicted. The maximum limit of such sentence shall be so fixed as to comply with the provisions of section six hundred and ninety-seven of the penal code.

§ 2. This act shall take effect September first, nineteen hundred and one.

MEMORIAL TO THE LEGISLATURE.

PRESENTED MARCH 27, 1901.

To the Honorable the Legislature of the State of New York:

Your petitioners respectfully represent that they are the Executive Committee of the Prison Association of New York; that this organization was chartered by the Legislature May 9, 1846; that upon it is devolved the duty of visiting, inspecting and examining under an order of the Supreme Court all the prisons in the State, and of reporting annually to the Legislature their state and condition. Your petitioners further declare that under the authority of such an order and in fulfilment of such duty a committee of this Association, the chairman of which was a physician, accompanied by an expert sanitary engineer, visited and inspected the State prison at Sing Sing, N. Y., January 19, 1900, with a view to determine its sanitary condition. The facts developed in this investigation are of such grave importance not only to the inmates of Sing Sing, but to the community at large, that the Prison Association of New York would fail of its duty to the Legislature and to the public, not to say in its solemn duty to the prisoner, if these facts were not immediately urged upon your attention.

In the fifty-sixth annual report of the Association, transmitted to the Legislature January 30, 1901, the conclusions of the investigating committee and of the sanitary engineer, together with the testimony of the warden and physician of Sing Sing, were presented in full and are now in print. These reports show that Sing Sing prison is absolutely unfit for human habitation. It is shrouded in a chilling veil of dampness. The purifying sunlight never penetrates its cells and has not for seventy-six years. The cells are dark, unventilated crypts in which men are compelled to exist on one-third the amount of air necessary for the average human being. Even this pitifully small supply of air is vitiated by foul and poisonous odors from the "backing up" of sewage and the deleterious emanations from defective drainage diffused throughout the prison. These dangerously unhealthy conditions which have engendered typhoid fever and tuberculosis are aggravated by the enforced overcrowding by which two men are obliged to sleep together in a space that might answer for a dog kennel, but into which no thrifty farmer would think in these days of immuring one of his cattle. Neither the humane disposition of the warden nor the continuous vigilance of the physician can overcome

these baleful conditions which are inseparable from the location and structure of the building. Five years ago Warden Sage said that the prison ought to be removed and built elsewhere. Warden Johnson declared to our committee that the one way to improve the building would be to tear it to the ground and build it elsewhere. The Superintendent of Prisons in his report for 1898 says: "The direct and sufficient relief will be found in new construction only." Mr. Charles F. Wingate, the sanitary engineer, says: "I must condemn the entire sanitary arrangements in the most unqualified manner, and urge their radical renovation, or better still, that the prison buildings be condemned and new ones constructed in their place." Mr. Wingate again says: "No one would deny prisoners sufficient food and drink, yet it is no less inhuman to refuse them an ample supply of sunlight and fresh air. Public sentiment would rebel at the thought of confining a convict to half rations, yet the cubic air space provided for each convict in Sing Sing is less than one-third the normal amount, and where the prisoners are 'doubled up' the supply is *one-sixth*. This is very much like lung starvation, and the consequences are and will continue to be serious."

The facts which we now present to the Legislature were laid before the State Board of Health by a committee of this Association. The president of the State Board of Health made an independent investigation subsequent to that of our committee. As a result of the report of the president and of the testimony furnished by this Association, the State Board of Health, on January 30th, unanimously passed the following resolution:

"In view of the condition of Sing Sing prison, as evidenced by the facts brought before us, we deem the sanitary condition such as to render it unfit to be occupied by human beings, and recommend that immediate steps should be taken to remedy these conditions."

The public press of New York city and throughout the State promptly supported the reasonableness of the demand. But thus far no action has been taken by the only authority which can effectually remedy the evil, the Legislature of the State.

We call the attention of your honorable body to the fact that the unfitness of the State prison at Sing Sing is not a new discovery. It has not only been condemned by several of its wardens, but by the Superintendent of Prisons and by the Commission of Prisons. The State Commission of Prisons in its fifth annual report for 1899 says: "The old cell-house or main prison is overcrowded, damp, unwholesome, a disgrace to the State. A new one should be built with all modern improvements in heating, lighting, ventilation and space."

On the occasion of the fiftieth anniversary of this Association, held February 28, 1895, the following resolution was adopted:

"Resolved, That this conference call the attention of the Legislature of the State of New York to the urgent need of a new State prison in the place of the one at Sing Sing. No money spent upon the grounds and buildings can make them adequate to the requirements. It is of imperative importance that a new location be selected, where there will be sufficient room for the construction of new buildings according to approved plans of prison architecture, and where the surroundings can be controlled, and employment given to a portion at least of the convicts in out-of-door work."

It cannot be said, therefore, that this Association was unduly impatient or importunate, if after nearly six years, and with fresh and startling evidence as to these intolerable unsanitary evils, it now makes an urgent appeal for immediate action. The results of long persistent failure to heed the recommendation and appeals of those who are most familiar with Sing Sing are bearing fruit in an insidious disease, which is silently spreading contagion and death. It is the conclusive testimony of medical experts that the conditions which exist at Sing Sing as to dampness, poisonous air and the absence of sunlight are the most favorable that could be established for the development and communication of tuberculosis. This disease it is difficult to combat under the most favorable circumstances of prison life, but it becomes uncontrollable and spreads with fearful rapidity under the worst. Special researches made within the last five years show that tuberculosis under the conditions described is not only swiftly developed in those susceptible to the disease, but that it is constantly communicated to well persons. Attention is called to the alarming fact, presented by Dr. Knopf in a paper on "Tuberculosis in Prison," submitted January 30th, as a part of the fifty-sixth annual report of this Association. The infectiousness of tuberculosis is now a demonstrated fact of medical science. There is remarkable agreement as to the way in which the disease is promoted. When the prison at Sing Sing was built these medical facts were not understood; but if the State of New York had deliberately undertaken to establish a plant for the development and spread of tubercle bacilli it could hardly have created a generator more favorable for its propagation than the prison at Sing Sing. What is also clear is that such mitigations as have been suggested cannot remedy the radical defect in the structure of the building. In the best modern prisons the cells have a capacity of one thousand cubic feet, and they are accessible to sunlight and properly drained. In Sing Sing the cubic capacity of the cells is but 145 cubic feet,

and one-fourth of the prisoners being "doubled up" are limited to but $72\frac{1}{2}$ cubic feet. An idea of the relative amount of air space of the best prisons as compared with Sing Sing may be seen from the following diagram:

Air Space in Sing Sing Compared with the Best Prisons.

| | | |
|--------------|-----------------|-------|
| | 1000 cubic feet | ————— |
| Sing Sing: { | 150 cubic feet | ———— |
| | 75 cubic feet | ——— |

The practice of confining prisoners in dark cells, where they died from lack of air, was common in mediaeval times. Sing Sing prison was built with no such intention, but it cannot be denied that this is the punishment inflicted there, a punishment which must be absolutely repudiated by every consideration of justice and humanity. The Constitution of the United States forbids "cruel and unusual punishment". Yet cruel and unusual is any form of punishment which under the guise of depriving a man of his liberty deprives him of his health or life. Grand larceny is not a capital crime in New York. Yet a man sentenced to Sing Sing for such a felony may be sentenced to early death as surely as if he were doomed to the electric chair. If he escapes tuberculosis he owes it to the strength of his constitution; if he has any predisposition to the disease it will surely develop. Every prisoner and all connected with the prison are obliged to run the gauntlet of this terrible infection, and it is not owing to the mercy of the State that they are not smitten by the disease. Such a punishment is unpardonably cruel and excessive. The apology for criminal negligence which the State will not permit to an offender cannot be invoked with any more justice by the State itself when it permits year after year this tuberculosis factory to remain after its dangers and tendencies have been repeatedly brought before the Legislature.

The only objection which has been advanced against the demolition and removal of Sing Sing prison is the objection of cost. But the cost of building a new prison to accommodate the entire population of Sing Sing would not be more than twenty cents per capita of the population of the State of New York, as the income from the sale of the present site would pay for the site of a prison with ample grounds. In a wealthy State like New York, in a time of prosperity, the pitiful plea of poverty cannot be raised for the avoidance of a great public duty which has been postponed year after year on precisely the same ground, and will be postponed indefinitely unless the public conscience is awakened. But a tyro in political economy may easily perceive that the proposed saving to the State in

postponing this urgent duty is altogether fictitious. It is not economical to turn able-bodied prisoners into invalids and to transform a prison into an institution for the generation of disease. An able-bodied prisoner who is capable of earning his own support while in prison, and of contributing something to the support of his family, becomes, when infected by tuberculosis, not only a charge upon the State while in prison, but a burden upon the community when he comes out. What could be more illogical than to make an appropriation for a sanitarium for tuberculosis in the Adirondacks while maintaining at Sing Sing a public establishment to propagate the disease? We are well aware that there are people who are altogether indifferent as to what becomes of men after they are sent to prison, and who assume that such an institution as Sing Sing may be a benefit to society by killing them off. But this is not the prevailing sentiment in the great State of New York, which has taken advanced, humane and intelligent ground in the treatment of crime. These unthinking people fail to see that Sing Sing prison is as dangerous to the community as it is to the prisoner. They forget that the prisoner is to come out. Every year between 700 and 800 inmates from this prison are turned loose in society. No rules of the Board of Health placed in our public vehicles making expectoration a misdemeanor can prevent the victim of tuberculosis from spreading the seed of disease in the community. In his paper on tuberculosis Dr. Knopf has called attention to the danger to the public from this source. The discharged prisoner takes the disease with him to his home and into public shops and vehicles, and the revenge which the State has taken upon him in compelling him to contract the disease he in turn inflicts upon the community.

If Sing Sing prison were a private factory and dormitory, the condemnation of the Board of Health might be immediately enforced. Is it just for the State to maintain a public institution in an unsanitary condition, alike obnoxious to the public laws and the public health; an institution which has been condemned by the Superintendent of Prisons, twice condemned by the State Commission of Prisons as a disgrace to the State, thrice condemned by the Prison Association of the State, and within two months by the Board of Health? Should not the State while inflicting punishment upon those who disobey the sanitary code pay some heed itself to the code it has framed and some respect to the unanimous condemnation of this institution by a State board charged with the important duty of maintaining the health of the community?

Under these considerations and in view of the important and alarming facts presented, we earnestly renew our appeal to the

Legislature to take immediate action for the abolition of Sing Sing prison and for the erection on a suitable site of a prison constructed on modern sanitary principles.

We urge also the appointment of a suitable commission to consider what steps are necessary for the improvement, reconstruction or centralization of the penal institutions of the State.

CHARLTON T. LEWIS,
President.

(On behalf of the Executive Committee.)

EUGENE SMITH, *Secretary.*

SAMUEL J. BARROWS, *Corresponding Secretary.*

JOHN ROCHESTER THOMAS.

At a meeting of the executive committee of the Prison Association of New York, held November 21, 1901, a special committee, consisting of Messrs. Jackson and Speranza, appointed at the preceding meeting to draft a minute in relation to our late associate, Mr. John Rochester Thomas, presented their report. And on motion of Mr. Eugene Smith, seconded by Vice-President Letchworth, who spoke briefly upon his acquaintance with Mr. Thomas, it was ordered that the minute be adopted as the expression of the executive committee and spread upon the minutes, and a copy sent to the family of Mr. Thomas. The minute was as follows:

"John Rochester Thomas was born in Rochester, N. Y., on the 18th day of June, 1848. After receiving a school education he entered an architect's office in his native city, later studied his profession in Europe, and in 1868 went into business for himself. Being remarkably gifted and thoroughly trained, he early attracted notice. In 1882 he removed to this city and has connected his name with numerous noteworthy structures, to mention only a few, the armory of the Eighth Regiment, N. Y. (1889), and that of the Seventy-first Regiment, with the Second Battery (1893), the Second Reformed church on Lenox avenue, and the Calvary Baptist church on West Fifty-seventh street. It will also be recalled that he won the first place over 133 competitors in designs for the new City Hall, which in 1890 it was proposed to build at an expense of \$25,000,000. The scheme was never carried out, but to Mr. Thomas was given the architect's part in the Hall of Records now building.

"But in this committee we allude chiefly to his service in the course of penology. He did not venture to criticize prison methods, but he spoke with authority upon prison construction. In 1874, though so young, he was appointed by Gov. John A.

Dix, architect and sole commissioner for the erection of the New York State Reformatory at Elmira. Samuel J. Tilden, who in 1874 succeeded John A. Dix as Governor, retained him in office. Mr. Thomas was thus enabled to complete the buildings which are justly esteemed models of their kind. His success at Elmira led to his selection as architect of the New Jersey State Reformatory at Rahway (1899), and of the Eastern New York Reformatory at Napanoch (1899). He embodied his views on prison architecture in his paper on the subject which he read at the Congress of the National Prison Association, held in Pittsburg, Pa., in 1893, and which was separately issued and attracted wide notice.

"It was his work in this branch of penology, which is surely not the least important, which led to his election to the executive committee of this Association in 1893. It was always a pleasure to have him with us, and we knew we could count upon his hearty interest in all the efforts of the Association for the physical, mental and spiritual improvement of the criminal. It was then with sorrow that we saw in his appearance when last at our meetings that his health was failing, and with a sense of personal loss learned that he had passed from earth. This sad event took place in Winchester Park, Thousand Islands, Wednesday, August 28, 1901, and we lost in him an honored associate and fellow worker. We here express our grateful thanks for what he was permitted to perform, and convey to those most deeply affected by his death our sincere sympathy. He lives not in vain who contributes to the progress of the race. He leaves a precious memory who links his efforts to those of his predecessors that have striven to make the path of the criminal back to honesty and virtue possible and easy."

TREASURER'S ACCOUNT.

FOR THE YEAR ENDING OCTOBER 31, 1900.

Dr.

| | |
|---|-------------|
| Donations | \$6,087 32 |
| Borrowed on mortgage on No. 135 East Fifteenth street | 5,500 00 |
| New York State Reformatory..... | 1,100 00 |
| Rents | 605 00 |
| Balance in Mechanics National Bank, October 31, 1900 | 61 54 |
| | \$13,353 86 |

Cr.

| | |
|---|------------|
| Expenses of agency in New York city for discharged convicts and persons under arrest..... | \$3,724 61 |
| Expenses of State organization, prison and jail inspection and county work..... | 3,381 03 |
| Paid off mortgage on No. 135 East Fifteenth street..... | 4,000 00 |
| Old indebtedness paid..... | 1,166 67 |
| Extraordinary repairs on No. 135 East Fifteenth street | 488 21 |
| Interest on \$4,000 and \$5,500 mortgages on No. 135 East Fifteenth street..... | 198 12 |
| Taxes and water rents on No. 135 East Fifteenth street | 155 43 |

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| | |
|---|-------------|
| Balance in Mechanics National Bank, October 31, | |
| 1901 | \$239 79 |
| | <hr/> |
| | \$13,353 86 |
| | <hr/> <hr/> |

(Signed)

CORNELIUS B. GOLD,
Treasurer,

We hereby certify that we have examined the accounts and
vouchers of Cornelius B. Gold, Treasurer, and find them correct.

(Signed)

JOHN SEELEY WARD, JR.,
ALEXANDER M. HADDEN,
Auditing Committee.

| | |
|---|-------------|
| Disbursements November 1 to December 31, 1901.. | \$1,474 97 |
| | <hr/> <hr/> |

LOCAL COMMITTEES.

The county committees of the Prison Association are now in process of reorganization. It has been thought best therefore to omit the list of committees in the present report, as such lists would necessarily be very imperfect. The corresponding secretary will welcome suggestions from the different counties in relation to local work.

Tennessee.—Rev. P. L. Cobb, Rev. A. L. Phillips, Mrs. Z. N. Williams, Nashville.

Texas.—John N. Henderson, Dallas; L. A. Whatley, Huntsville.

Vermont.—L. D. Hazen, St. Johnsbury.

Virginia.—Robert Stiles, Richmond.

Wisconsin.—Clarence Snyder, Hon. James E. Heg, A. O. Wright, Madison.

Washington.—John B. Catron, Walla Walla; Hon. Ernst Sister, Tacoma.

District of Columbia.—Hon. Fred H. Wines.

FOREIGN COUNTRIES.

BERMUDA.

J. H. T. Jackson, Hamilton.

CANADA.

James Massie, Toronto, Ontario.

FRANCE.

A. Rivière, Secretary Société Generale des Prisons, 52 Rue d'Amsterdam, Paris; Mons. Robin (pasteur), 21 Rue Piatt, Belleville, Paris; Mons. Bonneville de Marsangy, No. 7 Rue Penthievre, Paris; Dr. Paul Balliere, 128 Boulevard Haussman, Paris; R. Bérenger, Vice President du Senat, 11 Rue Portalis, Paris.

GERMANY.

Johann Wichern, Rauhe Haus, Horn bei Hamburg; Herr Heinemann, 250 Hammer Landstrasse, Horn bei Hamburg; Dr. Föhring, President Tribunal of Justice, Hamburg; Pastor Winckelman of the Prison Association of Saxony; Herman Adami, LL.D., 5 Bismarck strasse, Bremen.

GREAT BRITAIN.

Alfred Davis, 13 St. Ermins Mansions, Westminster, London, E. C.; Dr. Maurice Davis, 11 Brunswick square, London, W. C.;

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| Anonymous | 1 00 |
| Anonymous | 1 00 |
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| ton, Howard A..... | 12 00 |
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| McCord, Wm. H..... | 25 00 |
| McCurdy, Richard A..... | 50 00 |
| McDonald, Miss Bessie F..... | 5 00 |
| McKesson, Irving | 5 00 |
| McKim, Robert V..... | 5 00 |
| McLane, Mrs. Adelaide L..... | 5 00 |
| MacLaren, Mrs. F..... | 25 00 |
| McLean, John S..... | 10 00 |
| McMahon, James | 25 00 |
| Mackay, Mrs. B..... | 5 00 |
| Macy, V. Everit..... | 25 00 |
| Macy, Francis H..... | 20 00 |
| Mager, Mrs. F. Robert..... | 10 00 |
| Maillard, Henry, Jr..... | 5 00 |
| Maitland, Robert L..... | 10 00 |

* Deceased.

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| , Miss Virginia A..... | \$5 00 |
| on, Edgar S..... | 5 00 |
| n, Dr. D. M..... | 5 00 |
| t, Miss H. S..... | 5 00 |
| , James Weir..... | 5 00 |
| ews, Albert | 5 00 |
| ell, Henry W..... | 25 00 |
| ell, Mrs. Robert M..... | 20 00 |
| ard, Mrs. Effingham..... | 5 00 |
| , Ferris J..... | 10 00 |
| , Mrs. Titus B..... | 10 00 |
| am, Miss Annie L..... | 5 00 |
| ston & Co..... | 10 00 |
| nk, Mrs. Joseph..... | 50 00 |
| , Mrs. A..... | 10 00 |
| an, John C..... | 1 00 |
| rn, Mrs. John W..... | 10 00 |
| Mrs. Wm..... | 25 00 |
| , F. C..... | 10 00 |
| , W. H. H..... | 10 00 |
| in, E. D..... | 20 00 |
| in, Mrs. I. B..... | 10 00 |
| n, Mrs. J. Pierpont..... | 10 00 |
| , Daniel P..... | 10 00 |
| Lewis F..... | 5 00 |
| Wm. F..... | 10 00 |
| on, Miss Mary..... | 20 00 |
| O. D..... | 5 00 |
| ie, Mrs. Chester..... | 5 00 |
| B..... | 2 00 |
| , Conrad F..... | 5 00 |
| l. N."..... | 10 00 |
| ls, Seth | 10 00 |
| , Thos. M..... | 10 00 |
| First Presbyterian Church..... | 10 00 |

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| O'Connor, Thomas H..... | \$25 00 |
| Ogden, Mrs. Chas. W..... | 20 00 |
| Ogden, Mrs. Gouverneur M..... | 10 00 |
| Olmsted, Mrs. Chas. T..... | 20 00 |
| Olyphant, J. Kensett..... | 10 00 |
| O'Neill, Mrs. H..... | 10 00 |
| Oothout, Mrs. Jane E..... | 10 00 |
| Opdycke, Mrs. Emerson..... | 10 00 |
| Opdyke, Mrs. W. S..... | 5 00 |
| Openhym, Wm., & Sons..... | 10 00 |
| O'Reilly, Cornelius | 10 00 |
| Osborn, Mrs. Wm. Church..... | 10 00 |
| Osborn, Mrs. W. H..... | 10 00 |
| Otterson, Miss Lucy..... | 5 00 |
| Palmer, General W. J..... | 50 00 |
| Parish, Miss Susan D..... | 25 00 |
| Parsell, Mrs. H. V..... | 10 00 |
| Parsons, Mrs. Edwin..... | 20 00 |
| Parsons, F. A..... | 25 00 |
| Parsons, John E..... | 10 00 |
| Peabody, Geo. Foster..... | 75 00 |
| Pearsall, J. W..... | 5 00 |
| Peck, C. C..... | 5 00 |
| Penfold, Miss Josephine..... | 10 00 |
| Perkins, Goodwin & Co..... | 5 00 |
| Pettigrew, R. H..... | 2 00 |
| Phelps, Stowe | 5 00 |
| Pinkerton, Robert A..... | 10 00 |
| Plant, Albert | 10 00 |
| Planten, John R..... | 10 00 |
| Polk, Mrs. Wm. M..... | 5 00 |
| Pomeroy, H. A..... | 10 00 |
| Post, A. S..... | 5 00 |
| Pouch, F. E..... | 5 00 |
| Powers, Mrs. Jennie Turner..... | 5 00 |

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| Ball, Rev. Wm., Rector St. Paul's Church..... | \$5 00 |
| Bart, Herbert L..... | 10 00 |
| Barnes, Rev. Wendell..... | 50 00 |
| Barnham's Sons, G. P..... | 10 00 |
| Barnes, Austin A..... | 10 00 |
| Barnes, Wm. A..... | 25 00 |
| Barnes, Miss Elizabeth..... | 10 00 |
| Barnes, Miss Serena..... | 200 00 |
| Barnes, J. H..... | 10 00 |
| Barnes, Samuel..... | 10 00 |
| Barnes, Geo. L..... | 20 00 |
| Barnes, Hon. J. Hampden..... | 20 00 |
| Barnes, Chandler..... | 10 00 |
| Barnes, John E..... | 10 00 |
| Barnes, W. F..... | 5 00 |
| Barnes, W. A., & Bro..... | 10 00 |
| Barnes, Louis..... | 5 00 |
| Barnes, Henry W..... | 10 00 |
| Barnes, Dean..... | 100 00 |
| Barnes, Augustus..... | 10 00 |
| Barnes, Edward..... | 5 00 |
| Barnes Bros..... | 10 00 |
| Barnes, Mrs. Wm. Jay..... | 10 00 |
| Barnes, Wm. Jay..... | 20 00 |
| Barnes & Co..... | 10 00 |
| Barnes, Jacob H..... | 25 00 |
| Barnes, Chas. M. Jr..... | 10 00 |
| Barnes, Miss L. L..... | 5 00 |
| Barnes, Mrs. Gustav..... | 5 00 |
| Barnes, Mrs. J. Blair..... | 20 00 |
| Barnes, Mrs. Jesse..... | 5 00 |
| Barnes, Isaac N..... | 25 00 |
| Barnes, Mrs. Elliot F..... | 25 00 |
| Barnes, Miss Elizabeth..... | 1 00 |
| Barnes, Francis Louis..... | 5 00 |

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| Slicer, Mrs. Thomas R..... | \$5 00 |
| Smith, Dr. A. H..... | 5 00 |
| Smith, G..... | 2 00 |
| Smith, Geo. C..... | 10 00 |
| Smith, James Rufus..... | 10 00 |
| Smith, Wm. Alex..... | 20 00 |
| Smith, W. Wheeler..... | 10 00 |
| Speers, James M..... | 20 00 |
| Speyer, Leo | 10 00 |
| Speyer & Co..... | 10 00 |
| Spool Cotton Co., The..... | 25 00 |
| Stamford Mfg. Co..... | 20 00 |
| Starr, Theo. B..... | 10 00 |
| Start, Miss Mary..... | 5 00 |
| Stetson, Mrs. F. L..... | 25 00 |
| Stevens, Mrs. Byam K..... | 5 00 |
| Stewart, Hon. W. R..... | 10 00 |
| Stickney, Joseph | 10 00 |
| Stokes, Anson Phelps..... | 25 00 |
| Stokes, J. G. Phelps, M. D..... | 50 00 |
| Storer, Mrs. Albert..... | 5 00 |
| Thomas, Dr. T. Gaillard..... | 10 00 |
| Thomson, John W..... | 10 00 |
| Thorne, Samuel | 10 00 |
| Tiebout, C. H..... | 5 00 |
| Tiffany & Co..... | 20 00 |
| Toothe, Wm..... | 20 00 |
| Townsend, R. H. L..... | 10 00 |
| Tuck, Dr. Henry..... | 5 00 |
| Tuckerman, Alfred | 10 00 |
| Twitchell, Herbert K..... | 2 00 |
| Uhlmann, Frederick | 10 00 |
| Ullman, E. S..... | 10 00 |
| Vanderpoel, Mrs. John A..... | 5 00 |
| Vanderveer, Miss E. F..... | 1 00 |

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| Ingen, Mrs. E. H..... | \$10 00 |
| Santvoord, A..... | 10 00 |
| nilye & Co..... | 10 00 |
| ion, Harold | 3 00 |
| ner, John | 5 00 |
| burg, F. M..... | 25 00 |
| d, John Seely, Jr..... | 50 00 |
| hburn, Wm. Ives..... | 5 00 |
| erbury, Mrs. C. A..... | 10 00 |
| ertown First Presbyterian Church..... | 25 32 |
| ks, Mr. A. A..... | 25 00 |
| h, Mrs. Alexander M..... | 5 00 |
| s, Henry C..... | 5 00 |
| s, Miss Julia Chester..... | 10 00 |
| more, Dr. J. McE..... | 10 00 |
| eler, F. Merriam..... | 10 00 |
| elock, Dr. Geo. G..... | 10 00 |
| te, Mrs. Stanford..... | 10 00 |
| te, S. V..... | 10 00 |
| tcomb, P. R..... | 10 00 |
| tehouse, Mrs. J. H..... | 10 00 |
| tlock, Mrs. D. B..... | 10 00 |
| ton, S. G..... | 10 00 |
| te, Wm..... | 10 00 |
| gins, T. C., M. D..... | 10 00 |
| cox, Wm. G..... | 5 00 |
| ets, John T..... | 10 00 |
| iams, Geo. G..... | 20 00 |
| throp, Egerton L..... | 25 00 |
| throp, Mrs. Grenville..... | 25 00 |
| tringham, Sidney | 25 00 |
| erbee, Mrs. F. S..... | 15 00 |
| I, Lewis S..... | 10 00 |
| mser, Mrs. Isidor..... | 10 00 |
| ers Westminster Church..... | 5 00 |

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| John A. Ely. | Julius Liebman. |
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| V. K. Enroth. | B. M. Loomis. |
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| Miss E. Samuel. | Mrs. Wetmore. |
| Mrs. Sarrett. | Edward M. K. Whitney. |
| R. J. Schiedler. | Mrs. Willett. |
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| J. E. Serre. | Andrew C. Zabriskie. |

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| Mrs. Harburger. | Prof. F. M. Noa. |
| Mrs. Henriques. | Mrs. W. V. Noyes. |
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| W. H. Hooper. | Mrs. E. B. Parmele. |
| Hospital Book and Newspaper Society. | Mrs. E. Perry. |
| | Mrs. George A. Robbins. |

138 ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

A. F. Sahler.

James Simpson.

Rev. T. R. Slicer.

Katherine Bacon Smith.

Mrs. F. D. Smithers.

Miss Spafford.

Mrs. E. Strauss.

Mrs. S. L. Townsend.

Mrs. O. Q. Vail.

Mrs. Wade.

Mrs. Wetmore.

A. Wolf.

DONATIONS OF PROVISIONS.

Brinkerhoff Bakery.

Ferris & Co.

O'Donohue Coffee Co.

Rohe & Brother.

APPENDIX.

CHARTER OF THE PRISON ASSOCIATION OF NEW YORK.

AN ACT to incorporate the Prison Association of New York.

Passed, May 9, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be *ex officio* members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.


The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall consti-



tute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most

conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER,

President.

*See section 24.

STATE OF NEW YORK:

IN ASSEMBLY, *April 24, 1846.*

The bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof,

Resolved, That the bill do pass.

By order of the Assembly,

A. C. CRAIN,

Speaker.

APPROVED, this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW YORK,

SECRETARY'S OFFICE.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,

Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.*. It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such reports as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

*See section 20 in last revision.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.

2. Report of treasurer.

3. Reports from standing committees.

4. Report from the corresponding secretary.

5. Reports from special committees.

6. Report from the general agent.

7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts, and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee; and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, *ex officio*, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.



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FIFTY-SIXTH ANNUAL REPORT

OF THE

Prison Association of New York.

For the Year 1900.

TRANSMITTED TO THE LEGISLATURE JANUARY 30, 1901.

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1901.



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STATE OF NEW YORK.

No. 29.

IN SENATE,

JANUARY 30, 190

FIFTY-SIXTH ANNUAL REPORT

OF THE

Prison Association of New York For Year 19

THE PRISON ASSOCIATION OF NEW YORK,
135 EAST FIFTEENTH STREET, NEW YORK CITY,
JANUARY 30, 1901.

Hon. TIMOTHY L. WOODRUFF, *Lieutenant-Governor, New York:*

Sir.—In accordance with chapter 163 of the Laws of 1846 have the honor to present herewith the fifty-sixth annual report of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

Respectfully yours,

CHARLTON T. LEWIS,

President

SAMUEL J. BARROWS,

Corresponding Secretary.

Prison Association of New York
New York 5-19-089.

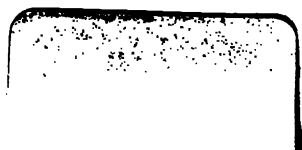


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STANDING COMMITTEES.

Law.

| | |
|-----------------|--------------------|
| James McKeen, | Edward B. Merrill, |
| George C. Holt, | Gino C. Speranza, |
| Eugene Smith. | |

Discharged Convicts.

| | |
|----------------------|-------------------|
| Alexander M. Hadden, | Henry E. Gregory, |
| Wm. Jay Schieffelin, | John R. Thomas, |
| Patrick Farrelly. | |

Library.

| | |
|--------------------------|----------------------|
| Samuel Macaulay Jackson, | Dr. J. W. S. Gouley, |
| Evert Jansen Wendell. | |

Detentions.

| | |
|--------------------------|-------------------|
| John W. Hutchinson, | John R. Thomas, |
| Dr. J. G. Phelps Stokes, | Gino C. Speranza, |
| Alexander M. Hadden, | Mornay Williams. |

House.

| | |
|---------------|--------------------|
| Eugene Smith, | James B. Reynolds. |
|---------------|--------------------|

Finance.

| | |
|--------------------------|-----------------------------|
| J. Seely Ward, Jr., | James B. Reynolds, |
| Wm. J. Schieffelin, | J. G. Phelps Stokes, M. D., |
| Samuel Macaulay Jackson, | Cornelius B. Gold, |
| James McKeen. | |

REPORT OF THE EXECUTIVE COMMITTEE.

To the Honorable the Legislature of the State of New York:

At the close of a brilliant and memorable century, marked by wonderful progress in science and by the extraordinary development of our national life, the executive committee of the **Prison Association of New York**, in submitting to the Legislature its fifty-sixth annual report, congratulates all friends of humanity on the assured progress in the civilized world of the principles of prison reform. This progress is physically evident in new types of prison construction. Buildings that are thoroughly ventilated, lighted, heated and constructed on sanitary principles have taken the place of the dark, noisome dungeons which prevailed when John Howard began his remarkable work. If in our own country a comparison were instituted between the jails and prisons prevalent at the beginning of this century, and the newer structures which represent the advanced humane sentiment of our own day, the comparison would show the striking progress which has been made. So definite and so widely understood are the conclusions of civilized governments as to certain humane features of prison construction and prison discipline that any grave departure from them would excite severe criticism and reproach from a general public opinion.

Progress is likewise seen in the structure of criminal codes, in the substitution in some degree of reformatory measures for those which are merely retaliatory, in the adoption in a few States of

some form of the indeterminate sentence, and in many other states of beneficent parole laws; in the development in this country and in Europe of the system of conditional liberation, both before and after imprisonment; in better forms of criminal procedure; in the growth of the function of the prison warden into a distinct profession in which character and experience are recognized as essential qualifications. A detailed enumeration of the various evidences of progress in criminal law, in prison administration and in preventive measures would fill a volume.

INFLUENCE OF ORGANIZATION.

In recording these advances and in presenting fresh recommendations to your honorable body, we call attention to the fact that this progress has been effected largely through the organized efforts of societies formed to study conditions, expose evils, correct abuses and to enlighten and arouse public opinion. Among these organizations the Association we have the honor to represent has exerted a wide and permanent influence. The wisdom of the Legislature of New York in granting a charter to this Association, May 9, 1846, has been fully justified.

But the influence of the Association has been felt in a far wider field than that contemplated in its charter. The National Prison Association of the United States was a direct outgrowth of this organization, and it was one of the secretaries of the Prison Association of New York, the late Dr. E. A. M'Viney, who, with the support of the Government of the United States, aroused the humane sentiment of Europe, and with the cooperation of eminent penologists of Great Britain and the Continent organized the International Prison Association, which has exercised a sustained and intelligent influence on the development of penology in Europe during the last quarter of a century.

But pleasant and interesting as might be a retrospect of the influence of this organization in this country and elsewhere, the executive committee entering upon the work of the new century, will best fulfill its duty to those who have so honorably and fruitfully wrought in this field in the century which is past by recognizing and courageously meeting the problems and tasks of our time, many of which are the heritage of centuries.

THE COUNTY JAIL PROBLEM.

Among the legacies of the past no institution is less satisfactory than the county jail. For more than half a century in the annual reports of the Association the attention of the constituted authorities has been brought repeatedly to the unwholesome condition of the county jails, and the inefficiency, extravagance, and moral evils attending them. More recently the State Commission of Prisons has used its official influence, which unfortunately is not associated with official authority, to correct special abuses. These and a long series of agitations have had the effect to modify and, in some degree, to improve local conditions. New jails under intelligent oversight have been constructed on modern principles. The evils of promiscuous association have given place in the improved jail to separate cells for offenders, and to a more complete separation of the quarters for male and female prisoners. But in spite of all efforts for their amelioration, the principle upon which the county jail system rests, that of local control, has prevented general and uniform improvement. The jails of the State are still, as a whole, a serious reproach to its system of administration and a failure as a means of dealing with crime. Some of them are too old and ill-conditioned to need any specification of defects beyond their general unfitness to meet the demands of modern jail construction and administration.

THE INEFFICIENCY OF LOCAL CONTROL.

But even a radical and complete physical reconstruction of our jails so as to meet all the demands of sanitary science would not remove difficulties or solve problems which are inherent in the system itself. The need of classified prison labor, one of the most urgent and difficult questions with reference to county jails, and of a well-graded system for those under sentence, cannot be met by isolated jails, under county management. The assumption that crime and criminals constitute a local matter to be dealt with by local methods and administration is at the bottom not only of the difficulty with our county jails, but with our penitentiaries and our whole penal system. Admirable as is our system of local government, many functions entrusted to the political divisions known as counties would be better fulfilled by the State as a whole. The facility of intercommunication in these modern days, and new aggregations of population have given a compactness to the organization of a State which was previously unknown. A system established before the telephone, the telegraph, the railroad or the steamboat were introduced, before the organization of modern society in its present form, is presumably not the best for our own day. The germs of crime, like the germs of disease, do not confine themselves to county or municipal lines, and the moral quarantine which is necessary for social safety, or that concentration of skill and remedial agencies which is essential for the recovery of a patient, cannot be commanded in a score of institutions located on purely political and geographical considerations, while more important classifications are ignored. If every county insisted on having its own hospital in which the insane, the idiotic, the maimed and the blind, and the vic-

tims of visual and aural diseases, dipsomania, and the lame and the halt were all confined simply because they happened to live in the county, the analogy of the resulting system to that of our county jails would be complete. The difficulty can be properly met only through the medium of State control.

THE NEED OF STATE CONTROL.

We therefore urge upon your honorable body such legislation as will place all penal institutions in the State under State control. The State Commission of Prisons and the Superintendent of Prisons form the natural centre and source of authority and power concerning such institutions in the State, and upon them should be devolved the necessary authority and responsibility. The experiment of centralizing the control of penal institutions has been carried out with great success in England and France, and also in Italy and Russia. The transition in England from local control to Government control has secured great uniformity and economy in administration and made possible many other reforms which could not be introduced under local administration.

In fact, during twenty-two years, since the local British prisons were brought under the administration of the central government, the result has been radically to change their character; from being schools of vice and crime, and recruiting offices of the criminal class, they have become potent agencies in repressing all forms of illegality, and of saving from ruin multitudes who have taken the first steps in crime. Notwithstanding the rapid increase of population there, the census of the jails has diminished far more rapidly. We see no reason to doubt that a similar reform is possible here, through similar methods. After the transition was made from local to governmental con-

trol in England, the number of prisons was reduced from 104 to 59. Many old and defective buildings were torn down as no longer necessary. It was found to be much more economical to dispose of the prison population in a smaller number of institutions.

THE WORK OF THE COMMISSION OF PRISONS.

The Committee views with well-grounded apprehension the proposition now before the Legislature, to substitute a single paid commissioner for the present State Commission of Prisons, composed of eight members who serve with but a nominal compensation. As already stated in this report, we believe that the duties and powers of the Commissioners of Prisons should be enlarged so as to give them not only the authority to discover abuses, but the power to correct them. Our whole prison system needs to be more thoroughly co-ordinated. We urge this in the interest of uniformity, efficiency and economy. To reduce the Commission to a single active, salaried member in the supposed interest of economy is to endanger the very object proposed in the change. The economy of any prison system depends much more upon how it is organized and administered than upon saving to the treasury a few thousand dollars from the traveling expenses and per diem allowance of a commission of citizens chosen for their public spirit, their business experience, administrative capacity and familiarity with the problems of charity and crime. The existence of a commission so constituted is a check upon the evils of extravagant and corrupt administration. Nothing is more hopeful in meeting the lofty obligations of self-government and in facing the problems of pauperism and crime in this country than the growth in American society of a class of men who freely place their time, their experience, training and ability at

the disposition of the public. To dispense with the services of such a commission simply because the State cannot afford to pay the amount necessary to cover their expenses, is to undervalue the pecuniary as well as moral worth to the State of such unselfish service. The present Commission of Prisons for instance, has made recommendations to the State Legislature in regard to the organization of prison industries which, if adopted, would save thousands of dollars to the treasury by the employment of prisoners who are now kept in semi-idleness. It would seem that if economy is the object sought, it would be wiser to adopt those recommendations than to abolish the body which has made them.

The important duty of inspecting prisons and jails now performed by the State Commission of Prisons by the proposed change would be devolved upon a single commissioner. His duties would be so multifarious that the work of inspection could not be thorough or adequate. If salaried inspectors are employed, the cost of inspection would be much greater than it is at present. If no such inspectors are appointed, then the duty of inspection would fall still more heavily upon the Association we have the honor to represent. Reasonably vigilant in performing this duty, the Association has been hampered, first, by the cost of making inspections which must be borne wholly by private contributions, and secondly, by the lack of any power beyond that of recommendation. The creation of the Commission of Prisons led to the expectation that that body might furnish the nucleus for a much-needed concentration of power in the management of our penal institutions. It is to such centralization of power, with enlightened and faithful administration, that we must look for increased efficiency in our penal system; and increased efficiency is the only key to true economy.

CLASSIFICATION.

State control would permit the free classification, distribution and transfer of prisoners. The present classification is incomplete, because it covers but a limited number of institutions. It is also defective because it is based upon the number of convictions of the prisoner and not upon his capacity, either physical, mental or industrial. A separation of convicts according to their first, second or third offense is insufficient in many ways. The first offender may have committed more than one crime before he was caught. That he is convicted a second time may be owing in some measure to the faults of the prison to which he was committed, for our prisons have often been institutions for promoting crime instead of repressing it. When first offenders work but half their time and fail to acquire a useful trade or the habit of industry which comes through productive labor, the system is in some way responsible if the prisoner when he comes out of prison adopts the habit of idleness which he has acquired within it. A classification of prisoners based upon their industrial capacities, both physical and mental, the elimination of the defective and the incompetent, the subdivision into various grades of those capable of education in industrial pursuits and the relegation of recidivists and habitual vagrants to low-grade labor, would bring our prison population into new relations to productive and educative labor and to other reformatory influences which might be intelligently invoked and applied.

THE EXTENSION OF THE INDETERMINATE SENTENCE.

To make any such classification efficient, the substitution of the indeterminate for the arbitrary time sentence is a necessity. It is necessary, too, for the efficiency of any system of prison labor. The division of prisoners into long sentence and short

sentence men is a division forced upon prison administrators by the inadequacy of the ordinary definite sentence. The legal distinction between misdemeanants and felons is largely arbitrary and has little or nothing to do with the question of corrigibility and the regime to which the prisoner should be subjected. The extension of the indeterminate sentence to misdemeanants not as an exceptional and occasional procedure, but as a part of the regular practice of the courts would obviate the inconvenient distinctions which are now made between indictable offenses and enable misdemeanants as well as felons to be brought within the influence of reformatory and educative discipline.

A PAROLE LAW.

The extension of the indeterminate sentence would involve the extension of the parole system, which is its natural accompaniment. The parole system has been introduced in twenty-six States of the United States. Its best results are seen when it is joined with the indeterminate sentence, and the prisoner is released tentatively after having earned the privilege under established regulations. A mandatory indeterminate sentence law, at least for first offenders, would be an improvement over the present parole law which lies inoperative in the statutes.

PROBATION.

If release on parole is desirable for certain offenders who have been committed to prison, it may be equally useful when applied to those who have been convicted but not committed to prison. In this form it is known as probation or conditional liberation. At present it is the privilege of judges to suspend sentences in courts of record when they deem it advisable to do so. That this power is not exercised more frequently is doubtless due

to the inability of the judge to obtain sufficient information in regard to the prisoner, his antecedents and circumstances and the want of proper surveillance for those under suspension of sentence. The appointment of probation officers as in Massachusetts, Vermont, Minnesota, and within the last year in New Jersey, would furnish the preliminary investigation so important to the judge and secure some degree of oversight during the suspension of sentence. The committee is convinced of the great benefit which would follow the adoption of the probation system in this State, and submits the draft of an amendment to the Penal Code which it hopes may receive the sanction of the Legislature. The moral gain which ensues from keeping a small army of offenders out of prison every year would be strengthened by the pecuniary gain to the State in saving the cost of their imprisonment.

THE RESTRICTIONS ON PRISON LABOR.

We call the attention of your honorable body to the importance of removing the restrictions placed upon prison labor through legislative action. The constitution already limits the market for prison labor to such goods as may be consumed by the State or the political divisions thereof. The limitation of the market only makes it more necessary that there should be no limitation of the number or kinds of industries. Not content with restricting the market for prison products the representatives of certain trades wish to exclude these trades altogether from the list of prison industries. When such a concession is made to one trade it is immediately demanded by another. If the Legislature yields to this pressure the inevitable result will be to force convicts into the supply of offenders with all its train of evils to the individual and its great cost to the State.

In its report for 1900 the State Commission of Prisons, on which is devolved the duty of assigning industries, says: "The law of 1897, substantially taking away printing from the prisons, except such printing as may be required for the prisons and for the State charitable institutions, followed by the establishment of printing plants in most of these institutions for the purpose of doing their own printing, crippled the printing industry in the prisons, and leaves only an insignificant amount of printing to be done in the prisons. This law of 1897 should be modified and permit a small amount of the department printing to be done in the prisons, so that the printing industry at Sing Sing may be kept in operation the year round. At present this printing industry is substantially idle, except occasionally filling a small order for blanks and letter-heads."

We agree with the State Commission of Prisons that "This legislative interference with established prison industries on behalf of the printing industry was unwise." With the Commission we see "no reason why printing should be favored more than other industries."

A bill to relieve institutions from buying furniture made by prison labor was properly vetoed by Governor Roosevelt. We earnestly trust that no bill which proposes further to restrict the field of prison labor will receive the consideration of the Legislature. So long as by the Constitution the product of prison labor cannot be sold in the open market every industry that is needed by the State to supply products for its institutions or departments should be open to prison labor.

THE BURDEN TO THE TAXPAYER.

The present system is a costly one. It creates unnecessary burdens for the taxpayer, the full share of which falls necessarily

upon the laboring man. While it is true that no penal system should be conducted simply to return a profit to the State, it is equally true that the State should not support in idleness or semi-idleness a large body of men who are capable of earning the cost of their support in prison and who would do so under a proper discipline if not prevented by law. To avoid the absolute pauperization of prisoners or the insanity which is the natural result of idleness and degeneracy, the Commission of Prisons may be forced to exercise the power it has to turn the prisons into trade schools, to be conducted simply for the education and occupation of the prisoners and with no reference to the commercial value of the product. This is an unnecessarily costly form of education, but less expensive to the State than to maintain a dangerous population in idleness and ignorance with the ultimate result of perpetuating criminality and adding tenfold to the cost of crime.

SUMMARY OF RECOMMENDATIONS.

To sum up the suggestions in the previous pages, the Executive Committee respectfully recommends:

1. Such legislation as will place all the penal institutions of the State under the control of the Commissioners and Superintendent of Prisons. The first step in such a direction might be taken by placing all the penitentiaries under State control, ultimately transferring their ownership to the State.

2. A classification of prisoners based upon their physical, mental and industrial capacity and a reformatory system of grading.

3. The extension of the indeterminate sentence to misdemeanants in connection with a reformatory system for all who may be fit subjects for such treatment.

4. The adoption of a probation law and the appointment of probation officers.

5. The removal of all restrictions on prison labor not imposed by the Constitution.

6. We call attention to detailed suggestions in regard to our penal institutions made by committees of inspection under the authority of orders from the Supreme Court, and especially to the report on the deplorably unsanitary condition of the State prison at Sing Sing.

(On behalf of the Executive Committee.)

CHARLTON T. LEWIS,

Chairman.

REPORT OF THE CORRESPONDING SECRETARY.

On the 30th of August, 1900, Mr. W. M. F. Round, who had served the Association for nearly twenty years as corresponding secretary, tendered his resignation on account of failing health. In accepting his resignation the Executive Committee instructed the recording secretary "to express to Mr. Round the regret of the committee at the reasons impelling his retirement after a long term of efficient and devoted service."

On the 1st of November, 1900, the present writer, having accepted a unanimous election by the Executive Committee, entered upon his duties.

I cannot take up the work so long carried on by my friend and predecessor Mr. Round without expressing my sense of the valuable services he has rendered to the cause of prison reform.

In a period of two months and a half, since assuming the office, the corresponding secretary has not had a large sphere of time nor of action. His duties are more varied than are suggested by this title, and he is practically the executive officer of the Association. Under the by-laws he is a member *ex officio* of all committees and every department of the work requires his attention.

The relations of the Prison Association with similar organizations furnish an occasion for the exchange of useful information. It is the aim of the corresponding secretary to reply as promptly as possible to questions from abroad. In response to inquiry from Mr. Albert Rivière, secretary de la Société Générale des Prisons of France, submitting detailed questions in regard to procedure in cases of persons under arrest, the corresponding secretary secured data which were the basis of a reply prepared and transmitted by Dr. Lewis, President of the Association. The information thus furnished has been gratefully ac-

knowledgeed and will be printed in the *Revue Pénitentiaire* for February.

In the early part of December I visited Toronto and was cordially received by friends of prison reform and by the prison officials of that city. Many thanks are due to Dr. A. M. Rosebrugh, secretary of the Prisoners Aid Association, to Mr. James Massie, formerly warden of the central prison, to Warden Gillmour, the present head of the institution, and to other gentlemen for the facilities afforded me. It was gratifying to find an active interest in the subject of probation in that city. It was my privilege to accompany a deputation of gentlemen interested in that subject, headed by Dr. Rosebrugh and Mr. Massie, and to urge it upon the attention of the provincial secretary of Ontario, the Hon. James R. Stratton. I had also a personal interview on the same subject with the Premier of the province, the Hon. George W. Ross, and endeavored to give to our friends in Toronto all available information with reference to the working of the probation law in Massachusetts, and its more recent adoption in Vermont, Minnesota and New Jersey. In our own State the subject of probation is recognized as an important one, and this Association, as will be seen by the report of the executive committee, submits an amendment to the Penal Code concerning it.

On invitation of the Committee of One Hundred extended to all labor organizations and to non-partisan organizations for economic and social reform, an association called the Civic Federation, composed of two delegates from each organization invited, was formed Monday evening, January 14th, at Cooper Union. The delegates from the Prison Association appointed by the President, were Dr. J. G. Phelps Stokes and the corresponding secretary.

An invitation to be represented by a committee to discuss the revision of the city charter was received from the Citizens' Union and accepted. The committee appointed were the president and secretaries, Mr. Jackson and Mr. Ward. The meeting was held at the United Charities building on January 16th. Mr.

Ward, Mr. Gregory and the corresponding secretary were present. As the result of the meeting a large committee has been formed to urge the passage of the amendments to the city charter.

In the last month I have given some personal attention to the reorganization of our relief work. Mr. Hadden and myself have visited Blackwell's Island to study the cases of first offenders and to see what can be done before they leave prison to make the road easy for them when they come out. We are satisfied that many cases may be helped in advance of discharge by appealing to their friends without the necessity of coming to the relief department for meals and shelter. To do this work properly would require the organization of a corps of earnest and intelligent visitors. Our conviction, too, is that of a number of cases we have examined, perhaps one-third could just as well have been kept out of prison altogether under a good probation law, if the examination which we make in prison had been made by a probation officer before the trial.

Believing firmly in the value of co-operating with other societies in reform work, I have accepted on behalf of the Association the invitation of the Charity Organization Society to join with it and other societies in sustaining a department whose object is to supply copies of all bills introduced at Albany relating to any phase of our work, to furnish newspaper clippings, decisions of the courts, or any other available matter concerning topics in which we are interested. The cost is but ten dollars a year, and the service is cheaper than it would be if organized independently by this Association.

Other matters demanding the time and attention of the corresponding secretary are treated in the report of the Executive Committee and in the reports concerning prisons and jails, especially that relating to the unsanitary condition of Sing Sing prison.

S. J. BARROWS.

INSPECTIONS OF PRISONS AND JAILS.

At a meeting of the Executive Committee of the Prison Association of New York, held May 17, 1900, a committee consisting of Messrs. Ward, Gregory, Stokes, Hadden, Smith and McKeen was appointed to inspect and examine the Elmira Reformatory, the State Prison at Sing Sing, the penitentiaries of the State, the city prison of New York, including the Tombs and district prisons, the workhouse on Blackwell's Island, Ludlow Street jail, in New York, and Raymond Street jail, in Brooklyn, as well as other county jails throughout the State.

During the months of July, August and September the committee visited, examined and inspected the Elmira Reformatory, State Prison at Sing Sing, the penitentiaries and county jails of New York, Kings, Onondaga and Monroe counties, the city prison of New York and the workhouse on Blackwell's Island, thus covering all the work which had been assigned to it, with the exception of the Erie and Albany county penitentiaries and jails situated at Buffalo and Albany.

NEW YORK STATE REFORMATORY.

A sub-committee consisting of Messrs. Ward, Stokes, Hadden and Gregory visited the State Reformatory at Elmira on September 19 and 20, 1900.

The buildings are admirably situated on a hill in the suburbs or outskirts of Elmira, and, since they have been erected within the last twenty-five years, may be called modern. A section of the cells is set apart for the occupancy of tuberculous inmates and receives special attention, being whitewashed every few months and otherwise renovated.

The boiler house is in an exceedingly defective condition, showing evidence of inexcusable neglect, the roof being full of holes

and very ragged. Repairs to this building should be undertaken at once, or the building should be reconstructed. The electric lighting system is also defective and in need of immediate repairs. Its condition was described as dangerous. Educational work previously carried on in the evening had to be abandoned on account of the inadequacy of the electric lighting apparatus.

The sewage system is in a similar condition—obsolete, defective, insufficient, demanding prompt renovation. The water supply of the Reformatory comes from an open reservoir. It is regarded by the Reformatory authorities as unfit to drink, and signs are posted in the building warning the inmates against using it. Apparently, however, there had been no recent cases of typhoid fever. On the whole the health of the inmates of the Reformatory was good. One alleged reason for the freedom from disease was the removal of tuberculous cows from the Reformatory farm, 260 acres in extent.

The sub-committee inspected the different departments of the institution as follows:

First, the gymnasium was visited. It was found to be in a generally satisfactory condition, the appliances and apparatus being suitable for the physical development of the inmates. Special forms of exercise are provided in accordance with the needs and condition of the men. There can be no doubt that the gymnasium is of very great importance to the inmates in correcting physical defects and in counteracting tendencies to disease. Almost equally important is the regular and frequent bathing to which the men are subjected.

The director of physical instruction in a recent report testifies that eight out of ten of the new arrivals are infested with vermin, which yield, however, to ointments and daily baths. Bathing is recognized in the Reformatory as a hygienic agency of primary importance.

The sub-committee inspected next the shops and trade schools. In the brass-smithing shop, the drawing-class room and the frescoing and house and sign-painting room there were few at the time working. In the tinsmithing room perhaps six or eight

were engaged, and in the blacksmithing shop about the same number.

The upholstering room was next visited, and then the class rooms where the men were receiving ordinary elementary school instruction. There were perhaps 50 men in each of these rooms. In the bookbindery there were five men employed, and in the typesetting and printing shop 16. In the shoemaking department 24 men were busy, and in the tailoring department 28. In the mending and cutting room 95 were at work, and in the laundry 55.

The sub-committee visited the fire engine house, and the department of bricklaying and masonry, where perhaps a dozen men were occupied, the house-building room, the carpentry shop and cabinetmaking room, where about 20 in all were at work.

Other trades and industries in operation were hardwood finishing, wood-carving and stone-cutting. The sloyd system and manual training were provided in a limited way for the defectives.

It seemed to the sub-committee that the men generally failed to manifest any deep interest in their work. There seemed to be an absence of alacrity and alertness. Under the circumstances attendant upon the change of management, there may be nothing surprising in this. We are not prepared to say that it is due to indifference or inefficiency on the part of the officials and instructors, though the general tone in the shops was decidedly inferior to that of the previous year.

The examination of Dr. F. W. Robertson, the Acting General Superintendent, elicited the fact that he had been in charge of the pavilion for the insane at Bellevue Hospital for five years; but that he had made no study of criminal anthropology or of reformatory systems prior to his appointment to the reformatory a few months previously. He stated, however, that he was a believer in what is called the reformatory idea, and was favorable to a continuance of the general Elmira system. He stated that he proposed to shorten the hours of domestic labor, so as to allow more time for mental training; but that all the departments were to be continued essentially as previously.

INCREASE OF INSANITY.

The Acting General Superintendent expressed the opinion that while there had been a considerable and progressive increase in the number of insane patients removed to the State Hospital for the Criminal Insane at Matteawan during the past few years there had been no material increase in the amount of insanity at the Reformatory. He expressed the opinion that greater vigilance in the inspection of the inmates had resulted in the detection of cases previously existing but unrecognized; and that during the present year the discovery and removal of the insane inmates had been more prompt and thorough than formerly; and that this greater promptitude in diagnosis accounted for most of the apparent increase of insanity.

When asked whether cellular isolation and "cuffing up" were not productive of insanity, the Superintendent testified that while they probably in certain cases aggravate a tendency to mental disorder, he would not say that the form of punishment was directly responsible for insanity; and he further stated that no inmate was subjected to "cuffing up" without previously having been examined by a physician to ascertain his mental state, and whether he was a fit subject for such punishment.

"We are extremely careful not to 'cuff up' a man whose mental status is in doubt. No man is handcuffed in this manner without my knowledge and over my signature; and no man is 'cuffed up' until he is seen by the physician, and as soon as he is taken down he is seen by the physician." (Testimony of Dr. Robertson). It may be said that the medical examination of the men about to be punished is required by law.

The sub-committee's examination of the Reformatory's records seems to disclose facts somewhat at variance with the above views. The records seem to show so regular and progressive an increase in the amount of insanity at the Reformatory during recent years as to suggest a radical cause. Whereas under the former system of punishment in vogue at the institution, the number of cases of insanity detected per annum was exceedingly small (the number of transfers per annum seldom exceeding five or six), during

the past two or three years with the introduction of dark cell "cuffing-up" as a substitute for "corporal punishment" the number of insane in the institution has increased enormously. According to the testimony of Dr. Robertson there were about "twenty-six" insane inmates transferred to the State Hospital for Insane Criminals at Matteawan in the fiscal year ending September 30, 1898, "forty" in the similar fiscal year of 1898 to 1899, "about seventy" during the first eleven months of the fiscal year ending September 30, 1900. It was stated by the Acting General Superintendent that dark cell confinement was not often protracted beyond six or eight days; and that in his judgment as an expert alienist, "cuffing up" in a dark cell in isolation beyond such a period might be distinctly prejudicial to an inmate's sanity. On September 20, 1900, the day of the sub-committee's visit, inmate Kussel (Con. No. 8561) was found handcuffed in the usual standing position to the bars of one of the isolation cells, and the punishment record show that he had been subjected to this form of punishment in a standing position facing the dark wall opposite, for about ten hours a day during 28 of the previous 30 consecutive days. Inmate McCarty (Con. No. 9016) was similarly found handcuffed to his cell door and the records showed that he had been in the dark cell 37 out of the previous 44 consecutive days and that on 35 of these days he had been "cuffed up" similarly to Kussel, for an average of about ten hours per day.

To ascertain roughly the degree to which the apparent great increase in insanity during the current year at the Reformatory might be due to accumulation of cases of insanity undetected in former years, the sub-committee computed the average length of imprisonment prior to transfer of the insane criminals transferred to Matteawan under the new Reformatory administration (beginning May 1, 1900), and compared the result with the result of a similar computation of the average length of imprisonment of discharged inmates not insane. It was found that the average length of confinement was almost exactly identical in the two cases; seeming to indicate that no material accumulation of insane cases could have occurred.

frank statement as to whether or not, in your judgment (as an expert alienist) so far as you have had opportunity to form judgment, isolation is really a good and safe substitute for the former forms of punishment. It would seem to me that for a man of weak mentality to be "cuffed up" to the door; kept on his feet ten hours at a time, ten days in succession, staring at the opposite wall, would to say the least be apt to have an unfortunate effect on that man's nervous system. What would be your opinion as to that? A. I should expect it would have an injurious effect on the man's nervous system, because of his general physical condition.

Q. And is it not possible that this marked increase in the insane among those who have been so treated in the past two years has been due, in some appreciable measure, to the resorting to isolation? A. It has probably been aggravated by the isolation.

The Superintendent said that he was opposed to spanking or paddling as a form of punishment. It is possible, he believed, to run the institution without it.

With regard to tuberculosis, he did not believe that the disease had increased, but that more attention had been given to the discovery of cases. "I feel that the cases have been here, but have not been recognized."

CLASSIFICATION.

On the subject of classification, he said that it had occurred to him that it might be well perhaps to group, for example the thieves and to notice whether there was any resemblance between them, any characteristics peculiar to them. So with forgers, and other offenders.

It is hardly necessary to repeat the statement, so often made, that classification is fundamentally requisite in an institution like the Elmira Reformatory. The existing classification is as follows:

1. Three character grades.
2. Three intellectual grades.
3. Three trade class grades.
4. Sixteen military companies, four battalions and a regiment.

1 Religious consideration. Roman Catholic, Protestant and Jewish

1 Three religious groups.

1 Physical training in reformation group.

The Superintendent stated that his opinion that the Reformatory system was superior to that of the State was based upon the following reasons: whereas instruction in a State prison was attended with no such result. The Reformatory inmates are taught how to value time and to form a habit of saving a portion of his earnings, which is credit balance in the State is a consequence of his discharge.

Arthur E. Tydman, in charge of the educational work testified that the inmates were graded practically on the same principle as pupils in the grammar schools. The lowest grades receive instruction in the fundamentals merely. The intermediate have some training of the reasoning powers. In the highest grade the men are taught to read and letters. The literates receive special attention. In the highest the men work in very little better work in the morning than in the evening. The teachers are trained inmates and are generally satisfactory. Similar after-school instruction is given in State.

There was some advantage of their opportunities make, he thought, more rapid progress than pupils in the public schools. Arthur Tydman also expressed opinion as to the use for improvement; inmates that are somewhat different; the inmates that are incapable of improvement and those incapable of improvement. The education the men receive is designed to turn them away from crime and associations; their outlook is broadened.

The inmates are not allowed to drink. They then the educated.

P. J. McLaughlin, State Superintendent, testified that he had had 20 years experience in prison work; but not in reformatory, and had made no study of reformatory systems.

To make normal citizens of the State out of its abnormal inmates, is the purpose of a reformatory. Young men are sent to the Illinois Reformatory because they have shown themselves

to be out of harmony with their environment; because they have received and acted upon false views of life. "They constitute a living anti-social human mass, not easily resolved and brought into accord with the orderly life of a good community," (Brockway.)

IMPORTANCE OF AN EXECUTIVE HEAD.

Among the different agencies employed to effect the desired change, it is difficult to say which is the most useful. It will be generally admitted to be especially important, however, that the executive head or governor of an institution like the Elmira Reformatory should be a man of such knowledge, sympathy and force of character as to be able to impress his individuality, vividly and really, upon the inmates. He should be recognizably a stimulating and renovating force in their lives. His influence should communicate itself through the daily order and discipline, through the officials and instructors into the inmates. Especially should he make his character felt in giving a new direction to their wills. "This complete directing, by the governing authority of the reformatory," said Mr. Brockway in one of his reports, "of the entire life of a mass of fellow beings, is a serious matter, a fearful responsibility. It must be remembered that they are withdrawn from the free play and moulding influences of the natural social life in a free community. The governor of the reformatory receives into his charge, with the bodily presence of the prisoners, their very soul life, and is clothed with the authority and the duty to develop that life for fullness and perfection. He who enters upon the work of soul culture touches the life and forces of a mysterious realm. His attitude should be a profoundly reverent one, for he invades a sacred precinct."

The successful fulfillment of the purposes for which the reformatory was designed will depend primarily upon the general superintendent. If he is the man that he should be, the tone and atmosphere of the institution cannot but be elevated and inspiring. He will be a force for good in the educational department, in the trade school, in the shops. It may not be possible for him personally to acquaint himself with the defects, peculiarities,

tendencies and capabilities of each inmate, and to provide suitable treatment for each individual, although he can do much in this direction. He should, however, be able to compel recognition of the fact that the executive head of the institution is a firm, just and sympathetic man, deeply interested in the lives of the men, and in making the institution in the highest and best sense a reformatory.

While we would by no means belittle the importance of domestic economy, or such matters as proper sewerage, ventilation and lighting, military drill, etc., we reiterate our belief that the primary need of this, or any institution whose aim is to reform young men into industrious, self-respecting normal citizens, is an executive head possessing the qualities above indicated. To such a man, what may be called matters of detail, matters of domestic economy and administration, could be safely entrusted in the belief that they would in due season receive the attention they require.

The buildings of a reformatory might be architecturally flawless, the cell blocks constructed on the best plan, and furnished with the most desirable improvements; the ventilating, heating, lighting and sewerage systems unexceptionable, the shops all that could be desired—and yet if the superintendent were indifferent, deficient in the necessary qualifications for so important a post, the institution would fail to accomplish the work for which it was designed, and would rightly be complained of, adversely criticised and condemned.

MONROE COUNTY PENITENTIARY.

This prison is composed chiefly of a central administration building with wings extending on each side, one of which is old and the other new, the latter having been quite recently constructed, but the whole is fairly well adapted for the purposes for which it is used. The prison is well lighted by large windows by day and by electric light in the corridors at night. The sanitary condition is equal to the average in most prisons, the entire building being well ventilated, except as to the cells, in

which, as is the case in nearly all prisons, there is no ventilation. The corridors as well as the cells were in a fine state of cleanliness. We were told that the rule to whitewash and paint three times a year was regularly and faithfully carried out, and we certainly had no ground to doubt this statement. The bucket system, with its many objections, is in use here, but as far as the new wing is concerned these objections have been practically done away with as niches to hold the buckets were built into the rear walls of the cells at the time the building was constructed. Iron doors which can be tightly closed are attached to these niches. They are well ventilated by means of pipes running into a utility corridor which extends the whole length of the cell room between the two rows of cells which stand back to back, and as this corridor is itself also well ventilated the unpleasantness and unhealthfulness usually attendant upon the bucket system are certainly very much lessened, although, of course, not entirely removed.

This new wing is particularly deserving of mention, as it excels in several respects the latest addition to the penitentiary on Blackwell's Island which was built at about the same time. The Blackwell's Island addition has smaller cells and the construction in many particulars is by no means up to the best standards. It is less well lighted and ventilated, it is without any utility corridor, and has therefore no such admirable arrangements for the buckets.

On the day visited, September 21st, there were in the Monroe County Penitentiary 168 prisoners, of whom 160 were men and 8 women. The prison will accommodate 525 persons and is usually full during the winter months. There is no labor of any kind except farm work on a tract of fifty acres attached to the penitentiary, which gives employment to about fifty men. The remainder of the inmates, no matter how great the population of the prison may be, are forced to be idle. For the accommodation of these there is set apart a room called the "idle room," which was certainly well named, for in this room were congregated about 80 men who were sitting still doing absolutely nothing.

ing, unless reading yellow journals and engaging in occasional conversation. This idle room, with its occupants, presents a striking contrast to the system of employment which preceded the present system of non-employment, when the penitentiary was self-sustaining and every one was busy the whole day long. These men now spend the entire time in this most indolent fashion, with the exception of three-quarters of an hour when they are taken out for exercise.

Classification as to sex is the only kind of classification here, although the Bertillon system makes the establishment of at least some system of grading simple, easy and practical.

The moral welfare of the prisoners is entrusted to the chaplain alone who visits the prison on Sundays only. Little is done here, therefore, looking to the reformation of the individual prisoner.

MONROE COUNTY JAIL.

This jail was built in 1885 and is similar in design to many of the jails built within the last ten or fifteen years. It is constructed of brick and stone and contains three tiers of cells, forty-nine cells in all, made of steel and sheet iron. These cells surround a square corridor which is lighted and ventilated from the top. The sanitary condition would be good if the place were kept clean, which, however, was a long way from being the case. The consequence of this, of course, was that vermin existed to a very considerable extent. The ventilation is good, the plumbing modern and can be easily cared for as it is all exposed in a hall which extends around the four sides of the block of cells. The bathing facilities are old-fashioned and entirely insufficient for the large number usually imprisoned here.

The inmates as is usually the case in county jails, were made up of all sorts and conditions of men, although in this case they were all awaiting trial as none are sentenced to this jail. Some of them were innocent and some were guilty, some confirmed criminals and some not really criminals at all, as a number had committed only one crime without realizing perhaps the seriousness of the act and had reached a crisis period in their careers,

when if rightly dealt with they might never offend again. Others were there simply because they were consistently following a life of crime which long ago they had resolved to do; but all of them, as no labor of any kind is performed in the jail, were free to associate with each other and to corrupt and be corrupted without interference during the whole of the day and to a large extent during the night. Continuous conversation is possible here even when the men are locked in their cells, and in the winter months it is found necessary to place two men in each cell, the result of which is to surely ruin forever many of those for whom, under better circumstances, there might have been some hope of reformation.

The only attempt at classification is the separation of the women from the men, and the keeping of boys under twenty in a room by themselves. There is no library here and no moral instruction of any kind except for a little while on Sunday.

ONONDAGA COUNTY PENITENTIARY AND JAIL.

The plant of this prison is entirely inadequate for the purposes of a penitentiary and jail. The building is very old and is much too small to accommodate the large number of prisoners usually confined in it. It is generally found necessary to place two men in a cell, and as there is no labor of any kind they are left free to amuse themselves in any way they like, which they usually do by playing cards, dominoes, etc. The ventilation is very poor, and the whole building, corridors and cells, was found in an extremely filthy condition. The mattresses, which were made of straw, were very old, much of the ticking torn off or full of holes, the pillows very unclean and the rest of the bedding was composed chiefly of rags. The carpets on the floors of the cells were old and worn out, and appeared to be covered with many layers of dirt. The dark cells in this prison apparently were entirely without ventilation. The bathing facilities are extremely unsatisfactory. The inmates are allowed to associate with each other during the so-called hours of exercise, which exercise consists solely in sitting in congenial

groups of three or four and plotting future crimes, and as there is no classification much evil must and does necessarily result therefrom. There is scarcely classification here as to sex, as men and women are confined in the same cell room, within speaking distance, although not within sight of each other. The association of the two sexes is not apparently allowed, although conversation, and that of the most obscene kind, continually takes place between them during the hours of night.

The little attention of any kind paid to the individual men in county jails was certainly well illustrated, the committee thought, by the finding in one of these cells of a man suffering greatly from the effects of a broken shoulder, while the hospital, which was in fairly good condition, was nearly empty.

As far as the abuses just enumerated are due to the plant of the penitentiary, many of them will shortly be done away with, as a new penitentiary, with all the modern improvements, is now being constructed; and if the statement of the architect is to be believed, the new structure will be all that any prison reformer could possibly desire.

The committee, however, does not look for much improvement in the administration of this penitentiary, even if the new structure is all that can be desired, so long as the present incompetent officials remain in charge. Is there any ground for believing that the new prison will be kept any cleaner than the old prison, and are men who do not object to filth and dirt of all kinds likely to appreciate and rightly care for modern sanitary appliances?

The new penitentiary will contain 320 cells, each 6 feet wide, 7 feet long and 8 feet high, the whole to be divided into seven compartments which will permit of complete classification. The sanitary arrangements are to be in accordance with the most improved methods. Only one cot is to be placed in a cell at present, but we regret to say arrangements are to be made so that a second one can be placed in a cell at any time it may be deemed necessary. The committee fears that this necessity will arise almost immediately, as the total number of cells is too few for the probable needs of the county.

KINGS COUNTY PENITENTIARY.

The buildings of this penitentiary are old and lack therefore the proper sanitary appliances, but notwithstanding this the hygienic condition of the prison must be considered good, as is evidenced by the excellent health of all of the inmates. The corridors surrounding the cells are large and airy, being provided with long windows which admit much light and sunshine, but the cells are smaller than would be found in a modern prison and have no ventilation. The bucket system exists here, as in all of the older prisons, and will have to remain until new buildings are constructed, as there seems no way of substituting any other system except at great expense. There is more or less employment for all confined here, but no classification except as to sex.

The prison was found to be only about half full, there being many unoccupied cells in both the male and female departments. This being the case the committee is at a loss to understand the reasons which influence the magistrates and courts in continuing to send prisoners to the Raymond Street Jail who could be quite as well sentenced to the penitentiary, for the jail is very much overcrowded, particularly the women's department, and is in its management in many particulars very inferior to that of the penitentiary. The methods of dealing with the prisoners in the penitentiary are certainly far from satisfactory, but the inmates are at least kept at work most of the time, and are not allowed to have general intercourse with each other. This is decidedly not the case in the jail, where the prisoners, young and old, are permitted to associate freely with each other in absolute idleness. The women's jail is a very old structure; it is extremely unsanitary and is without the proper means of escape in case of fire. Large numbers of women are huddled together in idleness in this jail at the great risk of both their bodies and souls, while a large, airy cell room in the women's department at the penitentiary, where there is certainly some employment for them, remains half empty.

As far as the committee is aware there is no legal objection to sentencing to the penitentiary many, if not all, of the cases now sentenced to the county jail if the courts desire to do so. Section 6 of an act for the erection of a court house and jail in the county of Kings, passed April 25, 1833, reads in part as follows:

“Persons convicted in the county of Kings of offences punishable by imprisonment in a county jail may be sentenced by the court before which such conviction shall be had, to imprisonment in the penitentiary,” etc.

And section 2 of an act relating to the penitentiary in the county of Kings, passed April 5, 1853, says that

“After the filing of said certificate (that is, a certificate that the penitentiary is ready for prisoners), and the publishing of said notice, it shall be the duty of all magistrates and courts in said county to sentence all prisoners who on conviction are liable (except in capital cases) to imprisonment, for a period of not less than thirty days, to confinement in said penitentiary instead of the county jail, and the keeper thereof shall receive such persons and safely keep for the term for which they were sentenced and employ them according to the discipline and rules established for the government of said penitentiary.”

It would seem, therefore, that all persons convicted of offences punishable by imprisonment in a county jail, may be, and that those who on conviction are liable to imprisonment for a period of not less than thirty days, must be, sentenced to the penitentiary instead of to the county jail, for while other statutes and certain general provisions in the Penal Code incidentally affect the statutes above referred to, we have been unable to find any provision inconsistent with the proposition that the magistrates in Kings county can send misdemeanants to the penitentiary, and we believe that if the law as it stands cannot be enforced it should be so amended as to make such disposition of misdemeanants compulsory.

The warden of the penitentiary, who was eager to provide employment for the men under his care, stated that with the proper co-operation of the other departments of the city government,

labor enough could be provided for the prisoners to keep them fully employed, even under the present constitutional limitations upon prison labor.

NEW YORK COUNTY PENITENTIARY.

The committee made a thorough examination of this prison and the workshops connected with it, on the 15th of August last. The old parts of the prison are in a bad condition, as they are badly ventilated, badly lighted and badly heated. The latest addition to the prison, as has been said, is by no means in accordance with modern ideas of prison structures. It is fairly well ventilated and lighted, but the cells are entirely constructed of brick and are without plumbing of any kind, in which respect it is no improvement upon the older portions of the prison. The bathing facilities of the Penitentiary are good, having recently been much improved. The kitchen is in very bad condition. The convicts appear to be employed in the shops most of the time, in manufacturing supplies for the Department of Charities and Correction, but 15 or 20 prisoners who were interviewed stated most positively that all the work that was performed there in a day could be and was easily done elsewhere in about two hours.

The prisoners are not classified; the officials testified that classification was not practical, as it would interfere with the industries of the prison, for, as they stated, it would be impossible to classify the shops, it being necessary to assign the men to them according to their ability to do particular kinds of work. These officials were evidently not familiar with the system of classification at Elmira, where it is not considered necessary to classify the shops in order to have a perfect system of grading.

The committee, on the other hand, believes that a system of grading is not only practical here (as it is in the Kings County Penitentiary and other institutions of the Department of Correction), and therefore, it will be seen, incumbent upon that Department to introduce the same at once, but that it would be difficult to find a prison where the facilities for introducing such a system are greater than exist right here in the Penitentiary on Blackwell's island. The structural conditions are in fact suited to the

most elaborate kind of classification, for the prison having been built at many different periods is in reality composed of five distinct prisons; the old and new prisons, the boys' prison, the women's prison and, the latest addition of all, the north prison.

The architectural resources being as they are, the Bertillon system being in full operation, supplying the Department of Correction with the histories of the men under its care, the police department standing always ready to furnish whatever information it may possess in regard to the individual cases which have come to its attention, and the records of the Department of Correction being conveniently at hand of all those who have at any time been in any of the penal institutions of which it has charge, taken with the confident statement of the deputy warden: "Let me look at your man and I can tell if he has served time before." we do not believe that any commissioner could now claim that it was impracticable to introduce a system of classification.

His attention should therefore be called to the fact that when practicable he is required by law to classify, as far as possible, all criminals and misdemeanants under his care, "so that the youthful and less hardened offenders shall not be rendered more depraved by the association with, and evil example of, older and more hardened offenders."

The hospital attached to the Blackwell's Island Penitentiary was destroyed by fire several years ago but has never been rebuilt. The plans for a new one were found to be in excess of the sum appropriated for the purpose and the authorities, we are told, were waiting until an additional one could be secured. This delay is most unfortunate, as hospital accommodations are very badly needed. At present the prison formerly used as the boys' prison is being used as a hospital, and a very wretched one it surely makes.

RAYMOND STREET JAIL, BROOKLYN, N. Y.

Inspected by Messrs. Hadden, Ward, Round and Stokes, on August 8, 1900.

The jail building is well constructed, amply large, well ventilated, and in general good condition. Sanitary appliances, how-

ever, are crude. The water closets in the cells are flushed two or three times daily, which is not sufficient; the jail corridors having a decidedly unpleasant odor referable to the water closets. The prisoners are not classified in any way. The long and short term men, young and old, are allowed free communication during hours of exercise. Prisoners awaiting trial are not separated from those serving sentence, although the building would easily permit such separation. Boy prisoners were isolated in so far as sight was concerned, but were within hearing of the conversation of the men.

The sub-committee would suggest that silence should be observed during hours of exercise, believing that free communication among jail prisoners is entirely undesirable, particularly when the men's conversation is within hearing of the boys.

The sub-committee had a lengthy interview at the jail with Mr. Backus, the county detective, and were exceedingly favorably impressed with what they learned of him and his work. It has been his custom to follow up the boy prisoners after their discharge, obtaining employment for them and doing them good in many ways. Mr. Backus has been engaged in this work for three years and has placed over 300 boys in permanent employment. The sub-committee believe him to be fully qualified for such work, and would be glad to see him appointed probation officer. It would be prejudicial to the best results of his work if the boys who look upon him as a friend, were to consider him simply as a "detective" watching them.

THE WOMEN'S PRISON.

The women's prison connected with the Raymond Street Jail is obsolete and defective throughout. It is utterly unsuited for continued use. The sheriff expressed the opinion in which the sub-committee concurred, that it was a perfect fire trap and that it would be next to impossible to get the inmates out of the building should fire break out on the lower floor. A temporary bridge was at the time of the sub-committee's visit being constructed connecting the women's prison with the jail, as a means of exit

for the upper stories of the women's prison in case of emergency. The entire women's prison is in a dilapidated condition and should be removed. The prison was badly overcrowded, at the time of the sub-committee's visit. The inmates performed no labor except necessary house work.

The sub-committee noticed a woman apparently in delirium tremens in a cell opening on a corridor in which were confined four boys about 13 or 14 years of age. The woman kept up a continuous flow of profanity, obscenity, etc., the boys being separated from her only by the iron bars of the cell door. Facilities for more effectually separating young boys from such women should most certainly be provided.

The sheriff is not a salaried officer, but receives the following fees for services rendered at the jail: Locking or unlocking prisoners, 75 cents per capita; board per capita, 28 cents per day. The sheriff is required to pay from his earnings all the jail expenses, salaries of assistants, etc. Six thousand prisoners are said to have passed through Raymond Street Jail in one-half year.

LUDLOW STREET JAIL.

Inspected by Messrs. Ward, Hadden and Stokes, August 10, 1900.

The building is very old, ventilation fair, physical condition fair, except that windows and unused cells needed cleaning very much. The jail is about half full, mostly "installment" cases; that is, inmates are held under executions against the person upon petty judgments recovered for the alleged conversion of goods purchased on the installment plan. Two prisoners are generally confined in each cell, which is altogether unnecessary. This is the fault of the keepers, as they are somewhat inclined to be good natured, not caring or seeming to care to keep the discipline up to a proper standard.

The prison was being painted, which is a decided improvement on the old whitewashing system. The plumbing in the jail is of good quality. No labor is performed by the prisoners.

Meals for the prisoners are served in the court yard in summer

and in the corridor in winter. The warden is allowed 70 cents per capita for board of civil prisoners and 75 cents per capita for board of United States prisoners. There is a fair laundry attached to this prison, situated in the basement.

CONCLUSION.

We have nothing, you will observe, and have had nothing sensational to report concerning the administration of the prison at Sing Sing or any of the prisons visited by us, notwithstanding the many statements that have appeared to the contrary. While it is true we cannot tell of instances of bribery, cruelty, murder or even an unusual amount of favoritism, for we do not believe such great abuses as these exist in any of the institutions of the State, still we do wish to call your attention again and again in as emphatic a manner as possible to a condition of affairs frequently referred to in this report in the administration of all of the prisons of the State, which is most lamentable; a condition of affairs which is, we believe, working a great and unnecessary and lasting injury to many of the inmates confined therein and is the more reprehensible because we think it is quite within the power of the State prison and county authorities to mitigate if not entirely remove the same.

We refer first to the great lack of employment of prisoners in the State prisons, penitentiaries and county jails. The idleness and consequent demoralization of the inmates is conspicuous in every penal institution in this State.

Second, to the fact that no classification worthy of the name can be found anywhere, while it is legal, easy and practical to introduce the same everywhere.

Third, to the conspicuous lack of a proper amount of religious and moral training.

In Sing Sing each inmate, according to the sworn statement of the warden when this inspection was made, works only on an average of one hour per day. It is the same at Clinton Prison, although slightly better at Auburn. The lack of employment in the penitentiaries and jails has been noted.

While the law prohibiting the sale of the products of the industries in the open market is to blame for much of this idleness, we are convinced, however, that the prisoners could be kept very much more occupied by a faithful compliance with the existing laws on the subject on the part of the prison authorities, or when there are no such laws to direct them, by the exercise by them of a little more ingenuity, and that they are therefore much to blame for the present extremely demoralized condition.

For example, a large proportion of the population of the State Prisons could be kept continually at work if section 99 of article III, chapter 382, of the Laws of 1889, which reads as follows was carefully enforced:

"The labor of the prisoners of the first grade in each of said prisons, reformatories and penitentiaries shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment as the primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction solely even though no useful or salable products result from their labor, but only in case such industrial training can be more effectively given in such manner."

As this industrial training under the circumstances can be given in no other way there is, of course, no question but that it can "be more effectively given" in the manner referred to in the law than not to be given at all, as is the case at present. This law, if complied with, would keep occupied nearly, if not quite, 50 per cent. of the prison population. The law has, however, been entirely disregarded; the first grade men are treated no differently from the men of the other grades. The opportunity thus provided for keeping the men of this class employed in manufacturing products not intended for the market is rejected.

It is a question whether this law does not even permit the employment of the men of the second and third grades in this manner. The law states that the labor of the prisoners of the second grade shall be directed primarily to labor for the State, and that the labor of the prisoners of the third grade shall tend primarily

to the preservation of their health, etc. If it is impossible to direct the labor of these grades primarily in the way stated we fail to see why the labor of the prisoners of these grades should not also be directed solely with reference to fitting them to maintain themselves by honest industry, etc., even though, as the law states, "no useful or salable products result from their labor." We do not think there would be any legal objection to following this course.

Undoubtedly as long as the amendment to the constitution of 1894 in respect to prison labor stands, and the laws in regard thereto remain upon the statute books, idleness will continue to a more or less extent, but we believe that much less of it will exist than does now exist if the authorities will make an honest attempt to execute the particular laws of which reference has been made.

The system of classification which exists in the State Prisons, the only kind of classification in the State, is based upon the number of felonies in which a man has been detected, not the number of felonies, much less the number of crimes, he has committed. No regard whatever is paid to the real characters of the men in making this classification. The number of felonies of which they have been convicted is alone taken into consideration. It was particularly pointed out to the Superintendent of State Prisons in the report of the committee which made the inspection of State Prisons last year, "that a man who has led the worst kind of a life, having criminal tendencies ingrained through years, may have been known to have been a criminal and yet be placed in the first grade, or Grade A, simply because a record of his convictions is not at hand, or that he has escaped conviction on technical grounds when his guilt was morally certain." The result of this is that Grade A is composed of men of many different kinds, some of whom are the worst sort of criminals, and the only object of a classification, namely, the reformation of those who have not become confirmed in criminal habits, therefore completely fails of accomplishment.

We do not understand what reasons the State Superintendent

of Prisons can have for allowing such an ineffective system of classification to exist, particularly when section 95, Article III, chapter 382, Laws of 1889, provides so admirably for a sound system of classification, as follows:

“The Superintendent of State Prisons shall direct the classification of prisoners into three classes or grades, as follows: In the first grade shall be those appearing to be corrigible or less vicious than the others, and likely to observe the laws and to maintain themselves by honest industry after their discharge. In the second grade shall be included those appearing to be incorrigible, or more vicious, but so competent to work, or so reasonably obedient to prison discipline as not seriously to interfere with the productiveness of their labor, or of the labor of those in company with whom they may be employed. In the third grade shall be included those appearing to be incorrigible, or so insubordinate or so incompetent, otherwise than from temporary ill-health, as to seriously interfere with the discipline or productiveness of the labor of the prison.”

This law is mandatory, but is ignored by the Superintendent just the same, for the system of classification adopted, you will observe, bears not the very least resemblance to that clearly directed by the law above quoted. This Association should, it seems to this committee, insist upon the immediate enforcement of this law, which would improve so greatly the administration and discipline in the State Prisons as well as mean so much to countless numbers of men who have taken only the first step in crime.

The religious and moral influences brought to bear upon the prisoners in the prisons visited by the committee, excepting the Elmira Reformatory, amount to very little. The chaplain, and the chaplain only, and he too often on but one day of the week, concerns himself with their moral welfare; the other officials, by common consent, refrain from participating in any way in this most important department of prison management.

One chaplain to promote the moral and social rehabilitation of frequently as many as 1,200 men, nearly every one of whom is

determined to resist good influences of every kind, would be laughable if it were not almost criminal to allow such a state of affairs to exist for a single moment.

If a prison system, such as the one we possess, which is crime-producing rather than crime-suppressing, must be borne with for the present in this State, by all means then let us without further delay add to the number of chaplains and moral instructors that the chances for individual reformation may at least be somewhat increased even under the present system.

(On behalf of the Committee.)

J. SEELY WARD, JR.,

Chairman.

THE SANITARY CONDITION OF SING SING PRISON.

REPORT BY A SPECIAL COMMITTEE OF THE PRISON ASSOCIATION OF
NEW YORK.

It having come to the knowledge of the Prison Association of New York that within a period of two months some forty-eight cases of typhoid fever had developed at the State Prison at Sing Sing, and that there were a large number of cases of tuberculosis, the following committee was appointed to investigate the sanitary condition of the prison: Dr. J. G. Phelps Stokes, Alexander M. Hadden, Henry E. Gregory, J. Seely Ward, Jr., Charlton T. Lewis, Eugene Smith and S. J. Barrows.

The committee proceeded to Sing Sing Saturday morning, January 19, 1901. The following members were present: Messrs. Stokes, Hadden, Gregory and Barrows. They were accompanied by Mr. Charles F. Wingate, sanitary engineer, especially engaged for this investigation by the committee. The investigation was made under the authority of an order of the Supreme Court. Every facility was furnished to the committee by Warden Johnson and the physician, Dr. Irvine, who, being duly sworn answered very fully all questions, and a stenographic record was made of the testimony. A transcript of the evidence is submitted as an appendix to this report.

In addition to the oral testimony, the committee, accompanied by Mr. Wingate, made a thorough inspection of every part of the buildings. The detailed report of Mr. Wingate, covering every point of this inspection is likewise submitted. Attention is particularly called to the information presented in his report by this acknowledged expert in sanitary science.

In making this investigation, and in reaching certain positive conclusions, the committee has not been influenced by vague or

sensational rumor. The determination has been made to get at the facts and to report them fully to the Legislature.

The facts elicited in this inquiry and presented in detail in the accompanying papers show the most radical and dangerous defects in the structure and condition of Sing Sing prison. The unsanitary character of the institution was revealed in the following conditions:

1. *Dampness.*—The prison is located close to the Hudson river, but five feet above tide-water. It is built on made ground. It is a massive stone structure. The soil below is saturated with moisture. Frequent fogs envelop the building and moisture trickles down the walls.

2. *The absence of sunlight.*—The outer shell of the prison consists of walls about two feet thick. The windows are but narrow slits. The sunlight enters the corridors for but a short time each day and then only in spots, and apparently has never entered the cells themselves since the prison was built 76 years ago.

3. *Insufficient ventilation.*—The cells are three feet, three inches by six feet nine inches and about six and a half feet high. Ventilation is supposed to be furnished by a small flue leading from the rear wall of each cell, but a lighted candle showed no draft at these apertures. Reliance for air must be had upon such as could be admitted from the windows in the outer wall opening into the corridors. These windows are closed at night when the cells are occupied, and cannot be opened in the day in stormy weather. The air space in each cell, but 145 feet, is painfully small. Mr. Wingate dwells with much force upon its inadequacy. He shows that the cubic air space provided for the convict in Sing Sing is less than one-third of the necessary amount. In other words the convicts are being lung starved for want of air.

4. *Over-crowding.*—As there are 1,350 prisoners and but 1,200 cells, the excess of prisoners, 150, must be put into cells already occupied. Thus 300 men are doubled up and forced for the en-

tire night to exist on an allowance of $72\frac{1}{2}$ cubic feet of air space for each individual.

5. *Bad drainage.*—The examination revealed defective plumbing and a dangerous open drain. The river sewage backs up in this drain and is exhaled into the corridor of the prison. Tests showed a strong upward air current from these drains, diffusing foul air throughout the prison. Mr. Wingate after describing this structure says, "A more unsanitary arrangement could hardly be devised."

CONSEQUENCES.

The inevitable consequences of persistent dampness, darkness, foul air, bad drainage and overcrowding are seen in the typhoid fever and the tuberculosis with which the prison is afflicted. According to Dr. Irvine a further danger may be found in the possible contamination of the water supply, though this has not been proven.

Sing Sing prison was constructed in 1824, at a time when heavy stone walls and narrow windows were thought necessary for security. Experience shows that this ancient form of prison structure when reared on made ground, enveloped in moisture, impervious to sunlight and pervaded with foul air constitutes a menace to the health of the prisoner which may react dangerously upon the health of the community.

In ancient times little thought was given to the health of prisoners. If dungeons were damp, dark and stifling, so much the worse for the prisoner and the better for the State. Under the more enlightened and humane spirit of our own time, such defects in a prison are inexcusable. A judge who sentences a modern prisoner has no intention of sentencing him to consumption or typhoid fever, but a man who is sentenced to Sing Sing prison may be unconsciously sentenced to either or to both.

While something may be done to improve the ventilation, no temporary mitigations can remove the physical and moral objections to putting two men together into narrow cells better fitted for the crypt of a catacomb than for the cells of a twentieth century prison.

RECOMMENDATIONS.

In view of all the facts above mentioned, there is but one course open to the committee, and that is to recommend the immediate condemnation and demolition of Sing Sing prison. An entirely new prison built on modern principles, in a more favorable locality, should be constructed as soon as possible and for this purpose convict labor can be profitably employed. As an immediate palliative of bad ventilation we recommend the introduction of an electric fan for changing the air and the improvements in plumbing suggested by Mr. Wingate. But these changes can only mitigate bad conditions growing out of the structure and the location of the prison. They ought not to be made the excuse for delaying the only thorough and absolute remedy, the removal of the prison itself.

J. G. PHELPS STOKES,

Chairman.

REPORT BY CHARLES F. WINGATE, SANITARY ENGINEER.

As the result of my examination of the above building including the drainage, ventilation and heating, at the request of the Prison Association of New York, I would report as follows:

The prison was established at Sing Sing in 1824. The buildings are old, obsolete in plan and have suffered from years of hard usage. Erected at a time when security was the sole object, but little regard was given to the health and comfort of the inmates. The whole aspect of the cell-structure is dark, grim and forbidding; with massive stone walls that drip with moisture in foggy weather and are chilly in winter, and windows so deep and so small that the direct rays of the sun seldom enter. As the prison extends north and south, one side of the building is entirely shut off from the sun for half of each day; even in the brightest sunshine it is difficult to read in any of the cells and a twilight gloom prevails which is a constant strain on the eyes. The cells which number 1,200 are in six tiers, measure three feet three inches by six feet six inches in height, and are seven feet long. The entrance is only 22 inches wide, with a

heavy iron grating set on the outside of a two-foot wall, like the neck of a bottle so that very little light could enter even if there was no outer barrier, but with narrow slits of windows set in a fortress-like wall, some ten feet distant, only a modicum of light can enter.

At 1 o'clock, at the time of my visit, on a bright cloudless day, the upper cells on the east side, occupied by the new arrivals who had been quarantined for fear of small pox, were so dark that it was just possible to distinguish their inmates through the grated doors.

The site of the prison is most unfortunate from a sanitary point of view and its selection was a gross error of judgment. Prof. Parkes tersely remarks regarding the location of camps and barracks "Always chose a spot where there is drainage and into which there is no drainage." But the prison situation has neither of these advantages. Lying in a hollow between a sloping hillside and the Hudson, it receives the surface drainage of the land above while it is built on made ground rising only six feet above tide level. Only one of the structures has a cellar and the subsoil is saturated with moisture rising by capillary attraction and by the rainfall and melted snow. Finally, the sewage of the village discharges into the Hudson only a short distance above the prison and tends to pollute the stream and the outer surroundings.

The cell structure which measures 60 x 400 feet and is some 50 feet in height, is simply a huge box of masonry set on a polluted soil and containing an inner box of 1,200 cells occupied from 4 p. m. until 7 a. m. for sleeping places. Each cell has a capacity of 145 cubic feet of air, while in some seventy cells where there are two inmates the air supply amounts to $72\frac{1}{2}$ feet per head. This doubling up is necessitated by the constant scraping and whitewashing of all the cells to destroy vermin so that about a hundred cells are vacant all the time.

The minimum air space now required in lodging houses, tenements, schools, barracks and prisons is from 300 to 600 cubic feet for each person, and 1,000 to 1,400 cubic feet in hospitals.

But these figures assume that the air supply is continually replenished and the foul elements removed. To maintain health every adult requires 1,000 to 1,600 cubic feet of air per hour, while the standard allowance for prisoners is 1,700 feet per hour. No one would deny prisoners sufficient food and drink, yet it is no less inhuman to refuse them an ample supply of sunlight and fresh air. Public sentiment would rebel at the thought of confining a convict to half rations, yet the cubic air space provided for each convict in Sing Sing is less than one-third the normal amount, and where the prisoners are "doubled up", the supply is *one-sixth*. This is very much like lung starvation, and the consequences are and will continue to be serious. The only fresh air supply enters through the grated door, while the sole means of exhaust is a flue 4 x 5 inches in the rear wall, which being roughly constructed with several bends and angles, and having no heat or other means for creating an upward draft, is absolutely useless, and, excepting in the case of the upper tier of cells, when tested with a candle flame it was clear that they did not draw. One can readily imagine the effect of confining men, not naturally cleanly, in such a cramped space, with straw beds that rapidly absorb impurities, blankets that are seldom washed, and with no possible escape for the products of respiration and the exhalations from their persons. Further contamination is caused by the night buckets with which each cell is supplied. It is not surprising that the interior atmosphere becomes very offensive, and even when the cells are empty and the windows open the air within is stale and close.

But still other sources of air contamination must be noted, and chief among these are the drainage arrangements.

The floor of the cell building is paved with blocks of stone, and is washed down daily with a hose. A shallow open drain is intended to carry off the wash water, but a good deal of moisture penetrates through the cracks between the stone and increases the soil saturation. Four large inlets receive the bulk of the water, and these are not trapped within the building, but each drain has a running trap where it joins the main sewer in the

yard outside. A surface drain is itself a source of foulness, and if it receives sewage it is still more objectionable. Such a drain should be securely trapped at each inlet and should also be ventilated to prevent becoming air-bound, especially where discharging into a sewer which is tide-locked at high water. Examining and testing with a lighted candle showed that there was a strong inward draft at each of the four inlets to the surface, and that foul air in great volume was escaping into the building which is a dormitory for 1,300 men. When, as is usual in cold weather, the windows are closed these open drains are the chief air supply for the building, and the inward current is accelerated by the tide pressure at the outer end of the sewer. A more unsanitary arrangement could hardly be devised.

It is an axiom of sanitary science that a damp soil is a potent cause of disease, but when the soil is polluted as well as moist, and when the air is thus contaminated everything is ripe for the development of contagion.

The effect of dampness is to debilitate and lower vitality, and thus increase the individual susceptibility to all diseases, particularly throat and lung disorders. The influence of dark and gloomy surroundings is also a potent factor in causing depression, just as sunshine and cheerfulness promote health. Indoor confinement and lack of exercise cause lassitude and loss of appetite, and it is noticeable that after Sundays or holidays prisoners are more restive and discontented than when they are able to work and go out doors.

The prison buildings are heated by steam pipes carried along the side walls and a comfortable degree of warmth is maintained. There is, however, no source of fresh air supply excepting by opening windows, which is not practicable in severe weather, except during the day time when the prisoners are at work or meals.

The air in the workshops was exceptionally good owing to the abundant sunshine which is nature's purifier.

To ventilate the main building, openings have been provided in the ceiling outside the cells leading into the attic and connecting

with louvred cupolas on the roof, but these outlets are insufficient to provide much relief and they are seldom open. The area of the building is so great, 1,000,000 cubic feet of air space, that nothing but forced ventilation would serve any practical purpose.

The plumbing in the cell building is limited to one closet and urinal on the ground floor, and a sink for draining water on each tier above. These sinks are not separately trapped as is now considered essential, but a single trap is placed at the bottom of the waste pipe which can be easily syphoned, while, as the waste pipe does not extend through the roof to the outer air, the foul odors from the slime-coated interior have free vent into the building and add one more source of pollution.

The plumbing in the chapel building, and some of the new work that has recently been put in, and that in the printing building are according to modern requirements, though there is a lack of trap ventilation, but in the old workshops the waste pipes are not extended through the roof, the sinks and urinals are not properly trapped, the water closets have no cisterns and the water for flushing is insufficient, so that the closet traps are choked and have to be cleared by hand. Such conditions would readily assist the spread of typhoid from an imported case of fever.

The prevalence of grip which has affected nearly every prisoner; the constant complaints of headache, aches and pains, and constipation and the recent epidemic of typhoid and consumption, the latter attacking the younger and most robust convicts, point unmistakably to the presence of conditions not conducive to health and confirm the results of my examination. Where vermin breed so abundantly as to defy whitewash, sulphur fumes and other destructive agencies, disease germs will also flourish, and no better laboratory for their propagation and diffusion could be devised; cleanliness and purity of air are impossible under such conditions despite the manifest desire on the part of the officials to do their best. The air ducts being inaccessible form admirable nesting places for vermin and germs,

and should be sealed up rather than be retained in their present condition.

Fortunately the workshops are in separate buildings with large windows and high ceilings, the walls freshly whitewashed and every part blazing with sunshine, with plants growing in window boxes, and every appearance of cheerfulness and healthful activity. These influences undoubtedly help to counteract the effect of the unsanitary cells, and but for them I am sure the mortality record of the inmates would be far worse than it is.

I am satisfied that the typhoid cases have been fostered by conditions within the building, and that they cannot be charged to the water supply. A single imported case might easily infect a number of other prisoners, where such defective plumbing fixtures are used by large numbers, I must therefore condemn the entire sanitary arrangements in the most unqualified manner, and urge their radical renovation, or better still, that the prison buildings be condemned and new ones constructed in their place.

Throat and lung diseases abound in most prisons and the mortality from consumption in such institutions is three or four times as great as under ordinary conditions outside. At the Milbank Penitentiary, London, 75 out of a total of 174 deaths in a single year, or 43 per cent. were due to consumption, while 90 other tuberculous patients were sent away the same year to save their lives. In an Alabama prison so many cases of consumption recently occurred that it was proposed to isolate the patients in a camp for special treatment.

In a letter to Dr. S. A. Knopf, of this city, from Dr. J. V. Hunt, secretary of the American Public Health Association, dated September 14, 1900, which I have been permitted to copy, it is stated that an outbreak of tuberculosis occurred last year in the State Reformatory at Jeffersonville, Ind., in consequence of excessive crowding while a new building was being constructed. Some 500 convicts were locked into a space designed for 200, and in consequence there was a marked increase in tubercular cases, and other diseases. An attempt was made to neutralize the overcrowding by a system of forced ventilation, but apparently with

little result and the problem of disinfecting the infected cells is a difficult one.

The report of the Board of Managers of the Elmira Reformatory for the year ending September 30, 1900, says in part:

"For a number of years tuberculosis has been an increasing and dangerous feature among our prisoners. Many have it upon arrival in a more or less advanced stage; others develop it under the trying conditions of prison life, with cellular confinement, and association with those already affected, and all unite in communicating the subtle and poisonous infection to their clothing, their bedding and the air of the cells and the corridors. The management further became convinced, by careful scrutiny, extending over many months, that prisoners, healthy on arrival, became affected, and sometimes with astonishing rapidity, by the disease, from being steadily confined in the same cell with a tuberculosis subject."

In view of the efforts being made to check the spread of tuberculosis and the large expenditure for a State Sanitarium for Consumptives in the Adirondacks, it seems wise to use all possible means to prevent the creation of new centres of contagion by making our prisons sanitary.

Every new arrival should be rigidly examined on entering the prison, to ensure that his lungs are sound and the examination should be repeated every three months so as to check the disease in its early stages and all suspicious cases should be carefully isolated to prevent the spread of the contagion.

TESTIMONY OF WARDEN AND PHYSICIAN.

Testimony of the physician, Dr. R. T. Irvine, and Warden Addison Johnson.

Q. We understand, Doctor, that just at present you are having particular difficulty with consumption, and with typhoid?

Dr. Irvine.—We have typhoid, I would not say that we have more tuberculosis. I think perhaps we have a few more cases than we had in the past two years, but not so many as we had six or seven years ago.

Q. How many cases of tuberculosis are there? A. That would be hard to determine.

Warden Johnson.—I have found out by inquiry that there is a great deal in the prison. Whether this is caused by the locality or unsanitary condition of the prison, or from the fact that prisoners, as a rule, when received here are in a state of low vitality, brought about by alcoholic excesses and irregular hours outside, and are therefore more susceptible to the disease, I am unable to say; but the locality of the prison and the attending unsanitary condition caused by the prison being only five feet above tidewater certainly has a tendency to cultivate the germs rather than to destroy them.

Dr. Irvine.—There are men who have it before they come in.

Q. (By Mr. Wingate). Have the prisoners who have tuberculosis been located on the lower or upper tiers? A. (Dr. I.). They are scattered everywhere.

Q. How many cases do you consider that there are of definite tuberculosis in the institution to-day? A. (Dr. I.). I know perhaps of between forty or fifty. But if you go right through this institution you may find perhaps as many more men who are not complaining; just as you find them in private practice. You see men on the street every day who appear healthy, but if you examine them you will find tuberculosis. Until it advances to a certain degree they do not come under the care of the physician. I have noticed a larger number in previous years. I have had as many as thirty-two or thirty-three deaths in a year, up to six or seven years ago. During the years '92, '93 and '94 we had between twenty-five and thirty-five deaths a year from tuberculosis. Now we do not have more than ten or twelve deaths.

Q. What is the population? A. 1,350.

Q. What are the ages of those taken? A. All ages, but young men as a rule.

Q. How does the population compare with those years when the number of cases was much larger? A. The average is pretty near the same, I think our average is higher, but our death rate has been falling.

Q. How many years have you been physician here? A. I am in my tenth year.

Q. To what causes do you ascribe the decrease in the death rate of tuberculosis? A. I think one of the causes is simply this: Up to '95 or '96 we had the contract system and every man in the prison was compelled to work, and men who were hardly able to work were compelled. They were overworked in a great many cases under a contract system. I think that had something to do with it. As a rule now they do not have enough to do. Of course there is a happy medium. When I came I think the men worked too hard. It was foundry work, making heavy bath tubs, etc.

Warden J.—They were worked like horses I have been informed.

Dr. I.—I do not think they have work enough now.

Q. Would it be possible to establish the fact that they contracted the disease here or not? A. Some of them do and some do not. I have had men die three or four months after they came here. Some of them had to be carried into the hospital from the "Tombs."

Q. Have you formed a judgment in your mind as to whether the majority of those having tuberculosis had it after their arrival or whether they had it before their arrival? A. I would not say the majority of them, but the great majority of them seemed to have a hereditary taint. Sometimes you will find that you cannot trace it at all previous to their coming here.

Q. Would confinement in a prison structure such as this encourage tuberculosis? A. With persistent dampness and absence of sunlight you have everything favorable for tuberculosis as well as typhoid.

Q. To what degree does the sunlight enter the prison? A. Practically nil. A little while in the morning between the hour of sunrise and ten o'clock. But sunlight never touches the cells.

Q. Of course this prison was built ages ago, before sunlight was recognized as essential to a prison, and that is a very important point in support of the contention that it should be rebuilt.

Warden J.—The windows are too small.

Q. In your judgment it would not be practicable to enlarge the windows in the present prison? A. It would not do much good because the cells are so small. The space is occupied by the stone structure. In modern structures of steel the walls may be two inches while here there are two feet.

Q. How often are the walls whitewashed? A. We keep a-going all the time. We start at one and when we are through we begin at the other end. We get around every cell in about three or four weeks.

Q. You have not noticed in any degree that consumption was more prevalent among any particular class than among any other class? A. No. I consider that we have very little tuberculosis considering the population and conditions.

Warden J.—One reason is because when we detect it we transfer them to Clinton. A good many of them recover there. If kept here they would probably die.

Q. Are those damp cells on the lower tier used? A. Yes. If you have 1,350 men to put into 1,200 cells they have to be used.

Q. Are those men more liable than others? A. All the cells are damp more or less. There is dampness all over the institution.

Q. How many men have been transferred to Clinton on account of tuberculosis during the year? A. (Dr. I.). Perhaps twelve or fifteen.

Q. How many altogether have been transferred to Clinton? A. (Warden J.). I think last year 150. There are about a hundred to go next week.

Q. Very likely a large number of those have tuberculosis? A. (Warden J.). I think of a special man who had tuberculosis here and in whose sputum we found bacilli. He gained 25 pounds in Clinton.

Q. What is done in the way of disinfecting cells occupied? A. (Dr. I.). We use sulphur fumes and whitewashing. We fumigate the whole prison very often; every cell.

Q. You do not use a particular group of cells as a quarantine

for these patients? A. No, sir. The very day that we detect symptoms I report the case to the hall keeper so the man is not doubled up. The only chance of that would be when they come in as new men. Otherwise they are never doubled up.

Q. Would the same clothing be used after the man had died?

A. As a rule the clothing would be burned.

Q. What is generally done with the clothing when a man dies?

A. If he dies of some disease other than a contagious one, they are first fumigated in an iron box and then put into a solution of bi-chloride and then dried on the river bank; left out there several days. In very bad cases of tuberculosis the bedding and clothing are burned.

Q. But it is unusual to destroy the bedding in those cases?

A. No, it is not unusual. I am speaking of the bad cases of typhoid or tuberculosis. But in all cases they are fumigated, put into an antiseptic solution, then washed out.

Q. What bedding do you have here? A. We have been using a wood fibre (referring to the hospital). In the cells, straw.

Q. When you have tuberculosis inmates in a cell, what procedure do you go through in regard to the disinfection of clothing and bedding? A. (Dr. I.). If a man after examination shows positive evidence of tuberculosis, or an examination of the sputum shows that he has the bacilli, he is put into the hospital; then the case is reported to the hall keeper and the bedding is burned and the cell whitewashed. Just as soon as we detect them when they have the fever they go in the hospital, except during the summer when I try then to keep them working out in the yard.

Q. How much time, on an average, in the course of 24 hours, would the prison population be in the open air under the circumstances, for the past six months for instance? A. (Warden J.). All the prisoners are out of their cells from seven o'clock in the morning till four or five. I mean when they are in their shops.

Q. How long are they in the open air? A. Some are in the open air just when they march to the shops, some companies are in the air all the time.

Q. About how many men in your opinion would be in the open air a couple of hours a day? A. About 300.

Warden J.—When men who are sick in the shops and think out of door work would agree with them we put them out. At one time we had 110 out. The vast bulk of the prison population are in the shops and not out of doors.

Dr. I.—At the present time there are more in the air since this drilling process has been used. Every company has been drilled for an hour every day since last November.

Q. Have you a military officer in command? A. Yes, sir.

Q. Is that beneficial? A. Undoubtedly. I think it is a very good thing to get them out in the air.

Warden J.—The motive was the abolition of the lock step and teaching them how to march.

Dr. I.—I think the other motive is more important, to get the men out of the shops.

Warden J.—You cannot keep them out of the shops altogether.

Dr. I.—They get more exercise out of doors than the factory hand gets, I think.

Q. What success have you had recently in getting enough work to keep the men busy? A. (Warden J.).— It has improved within the last six months.

Q. About how many hours a day does the average man spend at work? A. I could not definitely say; the industries during the last six months have increased \$30,000 to \$40,000 from a corresponding date of last year. They have been developed more. We have transferred the knitting industry, the hosiery and the mat-making from Clinton here. That was done a few months ago. Those three industries will employ about 250 men.

Q. It is not thoroughly established? A. No, the mat industry had recently orders for \$10,000 worth of mats, the knitting industry employs 130 men and the mats about 40. We had a large order from New York city. It is all hand work. There is no money in it; it simply keeps them employed.

Q. What are the conditions of the prison now as regards the

typhoid difficulty? A. (Dr. I.)—We are getting out of it very nicely. All our cases are convalescing except two who died; no new cases developing.

Q. To what cause or source do you ascribe it? A. I ascribe it to the water supply. Of course you have got to have more than the reception of the bacillus to develop the fever. You have got to have favorable surroundings and conditions for its development. You have them here in the absence of sunlight, the presence of moisture and the conditions of the soil upon which the prisons are built. I think the reception of bacillus is from the Croton, from the water supply.

Warden J.—The fever is all over the country.

Dr. I.—We have not been able to locate it definitely; the conduit which supplied the prison is not an iron pipe or porcelain pipe; it is more a drain built of stone and lime. I have never seen it.

Warden J.—I think it is stone.

Dr. I.—When we were building the road it was opened and repaired.

Q. Does it pass over or under the populous part? A. It passes under the houses.

Warden J.—When it was first built it was the property of the State, now it has been built over.

Dr. I.—That is only a surmise in regard to the water supply.

Q. What is the total number of cases since the first week in November? A. Forty-eight or 49 cases and two deaths.

Q. Referring again to this conduit from the Croton aqueduct, has the course of that conduit been traced recently to see what sort of a territory it passes through?

Dr. I.—Its course is very well known, it runs through State and Spring streets, and some places is 16 feet under the surface. Some barns are very close to it.

Q. Are there any privies built over it? A. Not directly over it, I have been over the ground.

Q. Within how far? A. Well, perhaps between one hundred and two hundred feet.

Q. No privies within one hundred and two hundred feet? A. Not that I know of. But there has been one barn over it, I've been told.

Q. Does it supply anybody but the prisons? A. It supplies the old female prison and other houses. There are two families living in the female prison.

Q. Has there been typhoid in these houses which are directly over the conduit? A. I know of two cases of typhoid. In fact I treated the cases myself; three cases inside of two and a half years; one case inside of a year from the time it started here; these houses were built directly over it. One case was on State street, and the other on Spring street. There were other cases in town. The physicians had some along those streets at that time. There were some other cases in the village.

Q. How near the conduit were those houses? A. Inside of 200 or 300 feet. Those houses were unprotected by the sewage system of the city.

Q. Were the privies of those houses nearer the conduit than 200 feet? A. No.

Q. Are there city drains passing over the conduit? A. I do not know.

Q. Where it is 16 feet under ground is it not likely that there were drains there? A. Possibly.

Q. What is the character of the soil generally? A. Lime, clay and sandy, too; there are streaks of sand through it.

Q. On the occasion of the opening of this conduit in the street was it in very bad condition? A. (Warden J.)—They did not get down to it; they went down 8 or 9 feet; that is 16 feet.

Q. Its condition is not known then? A. (Dr. I.)—No, I have never seen a portion of it, but I have been told about it by Capt. Washburn, who is now a man of 78, and who had charge of the convicts who built it. We've had no typhoid since 1894, when Warden Durston died; at that time I had three cases then in the hospital.

Q. Does it seem likely in your judgment that these cases of typhoid occurring in a year or so may be regarded as possible

sources of the infection? A. We never thought of the infection coming from that direction until the present time. At that time only having two or three cases we were not stirred up.

Warden J.—What makes it peculiar is that none of the officers have it; they all drink the same water as the prisoners.

Q. Is the water, ice, or milk exposed to contamination? A. (Warden J.)—The ice comes from Vermont; we do not know about that. We do not give them milk.

Q. Are there water coolers in the shops? A. (Dr. I.) Yes, but we boil the water now since the infection.

Q. You know no reason for considering it likely that the conduit may have been a source of infection? A. I have no way of proving it; I believe that the source of infection is from that.

Q. Do you know whether the men who received the infection and succumbed to it were among the outdoor gangs or the shop men? A. We have had some men from the yard, men who were out of doors and in different departments of the jobbing shop. Nearly half of the cases are of men who could get all around the place. The water they get is from different taps; but it is all the same water. I have listed the men as to where we receive them and I find from the jobbing shop in the yard we have half the total number.

Q. When one man had typhoid had his room mate had it? A. I had one case of fever run 16 days and nine days after he was up and convalescing his companion had it. They were simply men who worked together. It might have been coincident.

Q. I understand you to say that the men out of doors were largely selected on account of their physical need of the air? A. That is true in some cases, but not in all cases we have. Yard No. 1 and 2 are made up of men who have to do hard work; also men in the jobbing shop, some of them have to dig ditches. In yard No. 1 most of the work is shoveling coal, unloading the boats, and then transferring the coal to the different parts of the institution.

Q. These men in yard No. 1 who have been susceptible to the typhoid have been living in close proximity to each other? A.

No. The men in the jobbing shop would occupy one tier; yard No. 1 men another tier, and yard No. 2 men another.

Q. The majority are more or less associated? A. Yes; we try to lock them all in the same gallery.

Q. In what gallery have you found most of your typhoid cases? A. I have not observed anything particular as to that because the men are all over.

Q. The majority belonging to those gangs did room close together? A. About 50 per cent. of the total number belong to three different yard companies and the jobbing shop. The men in the jobbing shop do not lock in the same gallery. The majority of the men in the other companies lock on the same gallery. There are three companies on three different galleries. Men are loaned from some shops to work in the yard.

Q. You have no clear idea in your mind as to any source which would account for typhoid in these gangs? A. I have no way of explaining the source of infection at all.

Q. Do men ever get other men's buckets? A. No. They have all their own buckets and they are thoroughly disinfected. We use a preparation made by Tillinghast. The principle is the liberation of free chlorine; it is colorless and odorless.

Q. How long has it been in use? A. Several years. We have been using it four or five years. It is prepared and sold on West street, New York, by Clark, Tillinghast & Madden. It is a very good preparation, on the same principle as all of them.

Q. How about the ventilation, do you see any way of improving the ventilation as a whole? A. I do not see how you can in its present condition.

Q. There is steam heat? A. Yes.

Q. Practically no air supplied except through doors and windows? A. No, sir.

Warden, J.—One way to improve it is to tear it down to the ground and build it somewhere else.

Q. To what extent are the windows opened? A. (Warden J.) They could not be open all day because the snow would come in on the galleries on a day like this.

Q. What is the grating at the top of the wall; it is above all the tier windows next to the roof? A. (Warden, J.) There is ventilation there; the heat goes up; there is a space there.

Q. As regards the buckets, you still have the same difficulty with the fouling of the buckets over Sunday? A. We have no difficulty now. They are washed and disinfected and kept in the open air all day; on Sundays until 11 o'clock and holidays about the same time.

Q. Have you not had some difficulty from this point of view that the men were kept more in their cells on Sunday? How are the buckets cleaned on Sunday? A. They are cleaned in the morning and then the men are marched into their cells at 11 o'clock and the buckets are not cleaned again until Monday morning.

Q. The conditions on Sunday are apt to be worse then? A. Yes.

Q. There is no practicable means of remedying that? A. No. I do not think the closet system would be practicable here.

Warden J.—It would not be practicable here. We are only five feet above tide water. When we have an unusual tide, it backs the sewage back into the prison; it backs it up in the drainage; it comes up through the vent holes. There never used to be any closets in the prison; I put two closets and two urinals in the centre of it.

Q. There is practically no plumbing in the shops? A. Yes, in the shops; but I am speaking about the hall.

Q. When did the last case of typhoid develop? A. (Dr. I.) About two or three weeks ago.

Q. And the first? A. I think the first week of November.

Q. Would you say that throat maladies are particularly prevalent? A. ((Dr. I.) Yes, now there are 700 cases of grip; that prevents a great many from working.

Q. There are no cellars under any of the buildings? A. No.

Q. This is all made ground? A. Yes. We have a cellar under the new building. It is dry and water proof.

Q. Could you give us accurately the number of these grip

cases? A. No, I am just estimating from the number that came in, I give out a thousand capsules of quinine a day. Computing the men who have been taken with the grip in the last week I am positive that there are 700.

Q. Does that mean that a thousand men apply for capsules? A. No, I give one man from four to six capsules. A capsule holds two and one-half to three grains, and if he takes one every three hours and you give him six, that would carry him along till the next morning.

Q. Do you know how many cases of all kinds of sickness there are? A. I think I would be safe in saying that nearly every man is suffering from something.

Q. Are these grip cases excused from work? A. The great mass of them are not, because some of them have simply a headache, a cold in their heads; another man cannot eat; another man has a little fever during the night and is restless; and a great many do not apply for any treatment.

Q. How many have applied to you to-day? A. About 200; I can tell you exactly from my books.

Q. That is old and new cases together? A. Seventy-five per cent. of that number were men who had been in yesterday and the day before. Some of them come to get excused from work and a good many come to have their medicine renewed.

Q. From your own knowledge, a very large number—nearly every one in the prison is more or less unwell? A. Yes, I should say the same of the officers, commencing with the warden who is suffering from cold and grip.

Warden J.—We are enveloped in fog here a great many days in the summer.

Q. How about the weight of the men; do they gain or lose in prison? A. (Dr. I.) We have a record of the weight of every man in the prison. The great majority gain weight in prison. Regular hours and good food have something to do with it.

Q. Has this grip developed into pneumonia? A. I have not had a single case.

Q. Do you think that grip is contagious? A. It is doubtless epidemic; it may be contagious. I rather think it is.

Q. (Mr. Wingate) I have had the impression that prisoners as a rule were rather an enfeebled class. A. I do not think that is really true; the majority of our men are strong and healthy.

Q. (Mr. W.) Where do they break down soonest? A. The majority of them look a little anaemic from the reason that they do not get enough sunlight. I have had better results and a less mortality with prisoners than I would have in private practice; for several reasons. In private practice in a good many cases you have debility which may come from excess in alcohol or business worry or actual physical labor or something else. I find my cases here in the prison get along much better than my private cases.

Q. Have you sufficient nurses? A. Yes. They are all prison men; but the majority have had experience; half of them are trained nurses and as a rule are graduates from Bellevue.

Q. Speaking of this dampness, do you think it is partially due to the soil, or is it owing to the fact that in all stone buildings there is this dense moisture? A. That is true, but then the soil is bad. Last season I think was a typhoid season. The theory has been advanced that when there are certain conditions in the season, typhoid develops; and under this theory last fall was a typhoid fall.

Q. Did you say that it has not been noticeable in the village itself? A. In the village we have had about six or seven cases; not over eight. There are about 8,000 people in the village.

Q. Does the village have Croton water? A. No, they have their own water supply.

Q. Is it difficult to remove the bugs from the cells; that is ordinary bugs? A. (Warden J.) The bugs go in over fifteen inches right between the stone; you kill them off and others that have not been exposed to the gas appear.

Mr. W.—We find that corrosive sublimate put on with a brush is effective.

Dr. I.—We use that in our hospital. I believe tuberculosis can be transmitted by bed bugs, as mosquitoes transmit malaria. The man, Goldhorn, I think, took typhoid fever from Warden Durston. Goldhorn was working around for the officers and the men

on the new building. While Warden Durston was sick all the drainage from his house ran down and trickled down near the river. Goldhorn generally got his lunch from the hospital. He came in and got his bread and meat and would sit out there and eat his meat and the flies would come down to this drain and then help themselves to his bread. We don't know how the warden got it. We had several cases after his death and all from the drainage, I think, from his house.

Warden J.—The sanitary condition of this whole institution is vile, from the fact that we have not got fall enough. We are only five feet above high water.

Dr. I.—We were in a bad fix here when this typhoid struck us; the hospital was not complete.

Q. What is the condition of the hospital itself? A. Bad. The plumbing is all right, but here you have a closet, a bath tub and slop basin, all three of them, and the men lying all round. It is open on the floor and every time a man goes to the closet, if there is a nasty odor every sick man gets that odor. We use disinfectants right along.

Q. When you double up, one cot is hung over the other? A. Yes.

Warden J.—There never should be two men in a cell.

Q. Is any amount of food taken in the cells? A. Some of the men in the hall take it in their cells, but as a rule the man who has a box from outside keeps it in the shop.

Q. Have you seen the dampness in the cells visible to the eye? A. (Dr. I.) I have seen it so that it would have floated the bed-bugs off the walls if they had been there.

Q. These cracks where the bed bugs go are in the masonry? A. (Warden J.) Yes. I think the majority come out through the ventilators.

Dr. I.—After Warden Johnson took charge he ordered the chipping of all the cells; they never could get rid of them till they were chipped.

Q. How about cleaning the ventilators? A. We cannot clean them; we cannot get at them.

Q. Speaking of this dampness, it is on the lower tiers? A. (Dr. I.) Yes, it is on the lower tiers.

Warden J.—But this place is more or less enveloped in fog six months in the year, and the dampness is felt all through the building.

Q. Does the river bring down the sewage of the towns above? A. Yes, we get some doses of it here.

Q. How about handling the soiled clothes; how near is the laundry to the kitchen? A. (Dr. I.) Quite a way from it, there is no chance of contamination.

Q. Is there much constipation among the men? A. We cannot do much for it in the way of diet. They have stewed prunes and stewed apples, but not enough to correct constipation.

Q. Do constipated men have typhoid more than others? A. I cannot say as to that.

Q. Is not the humidity bad on warm, muggy days? A. (Warden J.) Yes, I have been on the top gallery when the thermometer was 90 and it was very bad.

Q. Are the water coolers cleaned carefully? A. They are all boiled out.

Q. How about water kits? A. They have been scraped thoroughly several times.

Q. How often are they filled? A. They are filled every day.

Q. What do they do at night if they want water; is it accessible? A. Yes. If a man requires extra water, the officer on duty nights would pass it to him.

Q. When was this prison built? A. 1824.

Q. What is the size of the cells? A. 3 feet 3 inches by 6 feet 9 inches, and about 6½ feet high.

TUBERCULOSIS IN PRISONS AND REFORMATORIES.*

By S. A. KNOFF, M. D., New York.

A few months ago I received from the distinguished Secretary of the Indiana State Board of Health, Dr. J. H. Hurty, a letter speaking of the Indiana State Reformatory in reference to a "most interesting tuberculosis situation" existing in that institution. The following are the facts which Dr. Hurty communicated to me: "This Reformatory is in reality a prison, for males, but no one over 30 years of age is confined there. In 1899 the legislature appropriated a quarter of a million dollars to build a new cellhouse, containing 600 cells. During the construction of this cellhouse it was necessary to provide for the prisoners in the old one, and temporary forced ventilation was provided. A space, however, formerly intended for 200 prisoners is now crowded with almost 600, and the consequences are a rapid increase in tuberculosis, of which there are now not less than 200 cases. All forms of the disease abound. Meningitis has killed a few and general tuberculosis is very common. This Reformatory is situated at Jeffersonville, Indiana, immediately opposite Louisville."

The other day I was honored by a visit from Mr. Charles F. Wingate, the eminent sanitary engineer of New York, in order to consult with me about the alarming tuberculosis situation now prevailing at Sing Sing. "Charities," the official organ of the Charity Organization Society of the City of New York, devotes in its number of January 19th, an entire column to the subject of tuberculosis in the Elmira Reformatory. I cannot do better than

*Contributed originally to the Medical Record of New York. As bearing on the subject of the overcrowding of Sing Sing and other prisons this article is of great importance.

quote textually the interesting and instructive report of the Board of Managers of the Elmira Reformatory, for the year ending September 30, 1900, as it appeared in "Charities":

"For a number of years tuberculosis has been an increasing and dangerous feature among our prisoners. Many have it upon arrival, in a more or less advanced stage; others develop it under the trying conditions of prison life, with cellular confinement, and association with those already affected, and all unite in communicating the subtle and poisonous infection to their clothing, bedding and the air of the cells and corridors. The management further became convinced, by careful scrutiny, extending over many months, that prisoners, healthy on arrival, became affected, and sometimes with astonishing rapidity, by the disease, from being steadily confined in the same cell with a tuberculous subject.

"Inquiry showed that * * * no intelligent and complete analysis of the prison population for the purpose of separating the diseased from the healthy inmates had been undertaken, and no orders existed, nor was it the practice to exclude from the buildings civilian employees in whose families were contagious or infectious disease, such as measles, scarlet fever, or diphtheria, while such disease prevailed."

This renewed awakening to a danger to which I endeavored to call attention in several of my previous writings, ⁽¹⁾ is gratifying to me, and to stimulate, if possible, a more widespread agitation for reform in this respect is the object of this article. To those familiar with the subject the above revelations are not new. Prisons all over the world have had for years the reputation of being the breeding places of tuberculosis. Observations in this respect date back as far as 1825, when Baly ⁽²⁾ began to gather his statistics concerning the Milbank Penitentiary in London.

(1) Knopf: "Pulmonary Tuberculosis; its Modern Prophylaxis and the Treatment in Special Institutions and at Home;" (P. Blakiston's Son & Co., Philadelphia). "Some Thoughts on Overcrowding and Tuberculosis;" (Journal of the Amer. Med. Assoc., October 20, 1900).

(2) Hirsch: "Handbuch der Historisch-Geographischen Pathologie;" 2te Edition, 1876.

From these we learn that from 1825 to 1842, 175 deaths occurred in this institution, of which no less than 75 were due to consumption. Besides these 75 cases, 90 prisoners were set free during these 17 years on account of being hopelessly afflicted with pulmonary tuberculosis.

Villemin ⁽³⁾ to whom we are indebted for the first absolute proofs of the infectiousness of tuberculosis, shows that the mortality from consumption in French prisons was three to four times as great as that of the free population. Pietro-Santa, also a French observer, reported that out of 27 deaths in the "prison civile" of Algeria, 17 were due to consumption, and in the Central prison at Harrach no less than 57 deaths out of 153 were due to the same disease. Baer ⁽⁴⁾ who investigated the condition of German prisons, published the following interesting facts: "During the first year of their confinement 38 out of 100 deaths were due to tuberculosis, during the second year 45, during the third year 42, and during the fourth year 36." These statistics perhaps help to demonstrate that a great majority of consumptives among the prisoners have contracted their disease during the time of their confinement.

Now let us, in the light of our present bacteriological knowledge of tuberculosis, as well as with the aid of that which our fathers taught us of the non-bacterial causes of consumption, enumerate, if possible, all the reasons for this fearful mortality among prisoners in nearly all penal institutions, in this and in other countries, and learn therefrom what may be done to remedy the conditions. I have myself in an unofficial position visited some prisons in this and in some other States. What surprised me in some was the absence of spittoons and the absence of regulations concerning expectorating. Now, I venture to say there is not a prison of any size where there are not at least a few tuberculous prisoners. They may not be known as such to the prison authorities, but they exist nevertheless, and

(3) Sraus: "La Tuberculose et son Bacille;" Paris, 1895.

(4) Baer: "Ueber das Vorkommen von Phthisis in den Gefängnissen;" (Zeitschrift f. klin. Medicin, 1883, Bd. 6).

with no spitting regulations, no spittoons, they certainly constitute constant centers of infection. But even should there be spittoons and should spitting regulations be observed religiously by the inmates, there still remains the drop infection. This method of infection, while of much less importance in the average free patient than in the tuberculous prisoner, must, in my humble opinion, be considered one of the very important manners of propagating the disease in prisons. The little drops of bacilliferous saliva, expelled during the so-called dry cough, loud speaking, sneezing, etc., fall to the ground before they reach a distance of more than three feet. The trained free patient will keep his handkerchief before his mouth during dry cough or sneezing; nurses and friends can be taught not to approach the patient unnecessarily close or long, and the danger of drop infection can thus be reduced to a minimum. In a cell, often not much wider than three feet, occupied by two prisoners, drop infection is rendered easy, and if one of the inmates is tuberculous the other will surely contract the disease, leaving aside the additional causes which foster tuberculosis in prison life, and of which we will speak later on. Drop infection is not only possible in a cell, but just as much, and perhaps more so, where the prisoners sit or stand close together or face each other at the work table. It is also possible when they march lock-step as they are then even closer together than when at work, though perhaps the infection of the prisoners' clothing plays here the most important part.

As a final evidence of the fact that the healthy prisoner is very often directly infected by his tuberculous cellmate, we must mention yet the statistics of Döderlein and others, published in Cornet's recent book (5), according to which the mortality from tuberculosis among the prisoners condemned to solitary confinement is considerably less than among ordinary prisoners.

So much for the infection by the inhalation method. The possibility of infection coming from imperfectly disinfected cells, clothing, bedding, mattresses, etc., used previously by a tuber-

(5) Cornet: "Die Tuberkulose;" Berlin, 1899.

culous individual, must, however, also be thought of. We will not speak here of ingestion and inoculation of tuberculosis. Prisoners are no more exposed to this mode of infection than others, but let us rather seek the causes which render the individual so very susceptible to the germs of tuberculosis during the average prison life.

As primary predisposing cause to consumption during prison life we must, of course, consider the lack of fresh air. I have learned that there are some prisons in which 150 cubic feet only are allotted to each pair of prisoners for the night, which means 75 feet per individual. The work rooms may offer more cubic space, but we have here the additional dust from the material worked with. If tuberculous prisoners are employed in the workshops, which at the present time is very likely in the majority of prisons, the dust will have its large admixture of tubercle bacilli.

Next to the lack of fresh and pure air, we might mention as a predisposing factor the prison fare. In view of the excellent reputation our American prisons have in this respect, it would be unjust to say that all prisoners are underfed. This is not so, but there are some prisoners where an improvement in the food, in its selection and preparation would tend to decrease the morbidity and mortality from tuberculosis. The condition of the buildings and the soil on which they stand are not infrequently the cause of rendering tuberculous diseases, so to speak, endemic in these institutions. It is well known that damp soil fosters tuberculosis. A prison situated on damp ground is always in danger of having more tuberculous patients than one built on dry soil. The material too, used for the building of prisons has a great deal to do with the sanitary conditions. I am indebted to Mr. Wingate, the above mentioned sanitary engineer, for the interesting information that the walls of our prisons made entirely out of stone, tend to retain moisture and cold more than any other building material, and thus *ipso facto* help to foster tuberculosis almost as much as does damp soil.

Another important factor tending to create a favorable soil for the invasion of the bacilli in an individual condemned to

prison life, is a psychic one. The mental depression of many prisoners is well known; it may be due to remorse, nostalgia, love of liberty, or to all these. Many prisoners are constantly sad. In sorrow one eats but little, the arterial pressure is low, the muscular weakness and depressed nervous state make the act of breathing incomplete. The heart is called on to do more work and perpetual palpitation ensues. The circulatory disturbances in the lungs impair the nutrition of this organ, and thus this field for the invasion of the bacillus of tuberculosis is prepared.

THE REMEDY.

After having studied the causes let us try to seek the remedy. The most rational one which suggests itself to one's mind would be that there should be special prisons or camps for tuberculous criminals, as there are for the insane criminals. Such rational change of the situation may not be brought about so easily, and it might be more practical to seek remedies which can be applied immediately.

The tuberculous prisoner must be separated from the non-tuberculous in the workshop as well as in his cell. This can be done and should be done. Every prisoner upon entering the penitentiary or reformatory school, or only the detention prison, should be carefully examined physically in addition to the bacteriological examination of the sputum. Every inmate of any of these institutions should be re-examined once every three months. This examination should not be confined to prisoners alone, but should be obligatory for wardens, keepers, officials and help.

How the local division of tuberculous and non-tuberculous prisoners can best be effected will depend very largely upon the situation and the capacity of the institution, and should be supervised and directed by the medical officer of the institution. An officer or an employee of the prison, if found to be tuberculous, should in his own interest leave the institution, seek, if possible, the best hygienic surroundings and submit himself to thorough treatment.

What is to be done in the line of treatment of tuberculous prisoners must also depend upon the location of the prison and the means at the disposal of the authorities. To form convict camps, an experiment tried in Alabama, might be productive of a great deal of good; but what it is best to do with tuberculous prisoners in the various stages of the disease is still a problem requiring a good deal of study. One thing is certain, in the interest of their own welfare as well as that of the community at large, tuberculous prisoners should be separated from the others. The clothing of the prisoners, but more particularly that worn by tuberculous individuals, should be regularly disinfected. The same rule also holds good for bedding, mattresses, etc. The soiled linen of the consumptive prisoners should be handled as little as possible in the dry state. It should be placed in water immediately after the removal from bed or body and boiled before it is given to the general laundry. No matter whether there are tuberculous prisoners or not, there should be spittoons and spitting regulations in all prisons. Cheap pocket spittoons, preferably of unbreakable material, might be perhaps most suitable



FIG. 1. Pocket spittoon
of plated metal.

(see fig. No. 1). Every inmate, whether tuberculous or not, should be enjoined never to expectorate except in his individual flask. Prisoners should also be taught to always hold a handkerchief before their mouths during sneezing or coughing. In short, the discipline to avoid drop infection from carelessly deposited sputum in a prison should be equal to that of the best conducted sanatorium for consumptives. Such precaution would not only tend to diminish the danger from the expectoration coming from individuals suffering from tuberculosis, but prove also of great prophylactic value in epidemics of grip, measles, whooping cough, etc.

To avoid drop infection prisoners should be about four feet apart when in the workshop, and whenever practical each one

should have his own cell. Whenever from lack of room tuberculous prisoners cannot be separated immediately from the others, and where even the workrooms are so crowded that the prisoners can not be placed at least three feet from each other, the tuberculous inmates of the institution should wear mouth-masks. Such masks, of which I give an illustration here, were first introduced by Prof. B. Fränkel, of Berlin, in his division of the Charité Hospital of that city. There, all the tuberculous inmates must wear these masks to catch the germs they expel in speaking and coughing, and are only allowed to remove this protector while eating or expectorating. In Prof. Fränkel's clinic, as also in others where this custom has been imitated, the patients have soon become accustomed to the use of the mask. It seems to me that in a prison where discipline is still more easily carried out, such measures could be beneficially installed. By impregnating the gauze, which is held in place by the metallic frame of the mask, with some medicinal substance the tuberculous prisoners could be made to believe that the instrument was worn for their own personal benefit, and not only for the benefit and protection of others, or, as they might think, as a means of designating them as individuals suffering from a contagious disease. Thus, even the humane arguments for not using such a mask would have no foundation. Where these masks have been used, bacilli have been found almost constantly on the gauze. Fränkel's and Moszkowski's experiments (6) have demonstrated the great value of these protective masks which can be easily disinfected. The gauze should, of course, be



FIG. 2 FRÄNKL'S MOUTH MASK (1/2 natural size).
a, METAL RING; b, SUPPORTER; c, SADDLE;
d, ELASTIC BAND; e, RINGS FOR FASTENING.

frantically installed. By impregnating the gauze, which is held in place by the metallic frame of the mask, with some medicinal substance the tuberculous prisoners could be made to believe that the instrument was worn for their own personal benefit, and not only for the benefit and protection of others, or, as they might think, as a means of designating them as individuals suffering from a contagious disease. Thus, even the humane arguments for not using such a mask would have no foundation. Where these masks have been used, bacilli have been found almost constantly on the gauze. Fränkel's and Moszkowski's experiments (6) have demonstrated the great value of these protective masks which can be easily disinfected. The gauze should, of course, be

(6) Fränkel: "Die Tröpfchen Infection der Tuberkulose und ihre Verhütung."

changed at least once a day and immediately be burned after removal.

Plumbing and ventilation throughout the prison buildings and especially in workshops and cells should be made as perfect as possible, and the cubic space allotted per individual at night time be at least 300 to 400 feet. Great attention should be paid to the good condition of the sewerage system. No prison should be erected on damp soil, and the material serving for its construction should not be such as retains cold and dampness. When in the opinion of the prison physician a change or betterment of food is indicated in order to preserve the health of a prisoner, his request should be complied with. Wherever practicable outdoor work should be sought for the prisoners, but at least a few hours of outdoor exercise every day should be made possible for the well-behaved prisoner.

To counteract the mental depression to which so many prisoners are subject I know of no better remedy than the multiplication of prison angels. The sermons, preached on Sundays in the prison chapel, are doubtless always of a beneficent influence, but they do not reach the individual in the same measure as the gentle words of our women prison angels.

In conclusion I wish to say to those who think that tuberculosis among the criminal class should be regarded rather as a blessing since it exterminates an undesirable element in society, that all criminals are not criminals for life. The majority of them do not remain in prison, but return to live again in our communities, mingle with us as other people do, and if they are tuberculous they not only can transmit the disease to others, but also can become a burden to the community. Therefore, putting aside all sentimental reasons why we should combat tuberculosis among the inhabitants of prisons as well as among other people, we should do it in the interest of the healthy prisoners who may again become useful members of the community, and in the interest of the people at large.

JAIL AT NEWBURGH, N. Y.

Inspected on May 2, 1900, by local committee. Jail is situated in the basement and first floor of the court house. There are 21 cells, size $7\frac{1}{2}$ x 5 x 6 feet, constructed of steel, new pattern, each cell having water closet attachment, swinging drop bunks, etc. Room "O" was first visited; contained three cells and bath, very clean, no odor, next room "A" and "B" was visited, these are situated in the basement; place was dirty, not having been cleaned in some time, keeper said that it was impossible to make the prisoners scrub their quarters unless they wanted to do so themselves; room "D" was next visited on the first floor, which was found to be fairly clean. There were 28 prisoners in the jail, one being a woman. No tramps, they being transferred to Goshen jail. No prisoner was less than 20 years of age. No escapes.

The kitchen was found to be very clean as were all cooking pots, pans, etc. The whole building is lighted with electric lights, ventilated by having tubes running up to roof and is heated by steam.

The jail has a library that was furnished by this Association, but would like to have more books.

The deputy sheriff, Mr. William H. Moore, is the keeper and also the county detective.

ORLEANS COUNTY JAIL.

In accordance with the worthy object for which the Prison Association of New York appointed us as its representatives for Albion, Orleans county, N. Y., we proceeded to examine the county jail located at this place, with a view of ascertaining its condition as a fit place for the confinement of criminals with regard to their physical and moral welfare.

We find on careful and painstaking investigation that the jail building is obsolete and out of date, having been built in 1838. It is not in our opinion, adequate as to size or accommodations, was not originally planned to separate the sexes properly or the

hardened from the more youthful and less guilty criminals. The sanitary conditions are bad; no proper ventilation is provided. Drains, water closets, baths and plumbing generally need improving. No adequate provision is made for proper and necessary exercise; the yard being small and not used.

In our opinion the whole concern should be condemned and replaced by a modern, up-to-date structure.

We would say further that this report is not meant to censure the keepers or those in authority. We think they are doing as well as the circumstances will permit. They are kind and attentive in treatment of prisoners. It is rather a case of inadequate accommodations, owing to the increase of population and the increase of prisoners. There has been also an advance in modern ideas with regard to such institutions.

We would respectfully recommend that your honorable body appoint a committee to visit and review the premises, and that the whole matter with the plans and specifications for a model structure be submitted to the board of supervisors for Orleans county.

F. E. KITTRIDGE,

R. W. STOUT,

E. S. CHESTER,

Co-operative Committee.

DEPARTMENT OF COUNSEL AND RELIEF.

REPORT BY THE AGENT, D. E. KIMBALL.

DISCHARGED PRISONERS.

The work of granting relief to homeless, helpless and friendless men coming from the numerous prisons of the State, has been conducted in accordance with the principles adopted by the Association after many years of experience and study. As I have frequently said in printed reports, no fixed, hard and fast rules can be adhered to in endeavors to uplift and re-establish discharged prisoners. Applicants must be encouraged, assisted and guided according to their various necessities. It is a noticeable fact that but few of those who come to the doors of the Association have trades; a very small number know how to do anything well. The Association rarely finds it necessary to purchase mechanics' tools for men. A good mechanic is seldom sent to prison, and if he is, through any unfortunate combination of circumstances, he needs little or no assistance from the Prison Association; his friends care for his future and the trade stands him in good stead. The Association's rule of "nothing without labor" is applied in all cases. No help is given to any man who declines to work for it; thus the deserving applicants are separated from the others and the Association is not open to the charge of pauperizing a class of men who easily become mendicants if encouraged. The prisons are now visited by the committee of the Association on detentions, and conversations are had with prisoners whose terms are about to expire. Such as seem to be good subjects for relief are told to come to the office when released, and much good is accomplished among still another class of men who would never apply to any society for relief.

desperate as could be, homeless, outcast. I was discharged from prison last Friday and have no money, no home, nothing; as a last resort I will call on you to-morrow.

Very respectfully,

D.—— M.——

“M” was taken care of until he had in a measure regained his strength and he is now working for a truck and moving van company and is doing well.

A PATHETIC CASE.

My attention was directed to the case of O.—— G.——. The young man proved to be a first offender, 23 years of age, formerly employed in a large clothing establishment which, by a conspiracy with other employees, he had succeeded in robbing of something like eight hundred dollars' worth of goods, the stolen property being disposed of to a receiver who paid them sixty dollars for it. The receiver was apprehended and convicted.

The principal cause of my being drawn into this matter was the pathetic condition of the prisoner's wife, aged 18 years. It was observed by the keeper, that G—— was feeding his wife with prison bread through the bars of the cell, under cover of her pocket handkerchief and as on three occasions, the young woman had fainted on the tier it was plain that she was starving.

I supplied her with money and food and with much difficulty obtained her story, as she was a mere child for her age and was very much frightened and ashamed.

It appears that the couple met at a social gathering and as I learned subsequently lived together a few days and were to have been married on the day he was arrested, her clothing and wedding ring having been purchased.

I doubted her statement that she was married to the man and asked to see her marriage certificate. She agreed to show it if I would meet her at her Brooklyn home.

I went there and waited two hours, but she did not appear and sent me the following letter:

BROOKLYN, N. Y., ———, 1900.

Mr. KIMBALL:

Kind friend.—You will no doubt be surprised to receive this letter. After leaving your office to-day I walked so far that I forgot everything in my misery and I failed to be home in time to meet you. I also want to tell you that I don't think I will be in court to-morrow as I am so nervous now, and tired from all my running for nothing that I don't care no more. There is nothing but misery and pain for me now. To get those forty dollars back would not lighten my sorrow; so let him keep them, or otherwise give to my husband's poor sister, she needs it. I suppose he will go away to-morrow and then I am all alone to face my bitter fate, but I am satisfied. At the worst I cannot do any more than die and I would welcome death this very minute.

I am only eighteen years old and have suffered more than many twice my age.

I will try and get work in some private family and work as long as I can. No doubt I will not be able to get work right away, but if I do I will work.

The first month I work I will return to you the money you so kindly lent me yesterday. In all my misery and sorrow I haven't one friend to talk to, at least that would listen to me.

I will go friendless and alone until he is free.

I will close now thanking you very much for all you have done for me, and remain,

Yours truly,

Mrs. G——.

P. S.—Do not bother about me no more, I will try to do for myself alone.

The next morning I was at her room before she had risen, had her called and brought her to the office. I assured her that it was my intention to see her through her difficulties whether she approved or not. As she was a Roman Catholic and the man was a Jew I arranged for a civil marriage.

The letter which she sent me I handed to the judge who said after reading it that he had not sufficient hardness of heart to send the man to prison, although he had told me that he proposed to send him to the reformatory. That sentence was suspended was due to the complainants asking for such action and to the unfortunate situation of the girl. Her starving condition was brought about by the action of the people who professed to be her friends yet wrongfully deprived her of all her means.

Before I came into the case a private detective employed by a large firm in this city through a Mr. ———, agreed that if he was paid the sum of fifty dollars he would use his influence with the judges, district attorney and the complainants, and bring about the prisoner's release. The poor girl believing these statements, sold her wedding ring, her watch, all of her clothing and all of his clothing, thus raising the sum of thirty-five dollars.

The sister of the prisoner, a poor servant girl, receiving but five dollars a month, contributed five dollars to the fund which was given to ——— who conveyed it to the private detective.

This portion of the story and all the facts of the case that had come to my knowledge, I immediately brought to the attention of the court and by its direction the district attorney made an investigation.

He took careful statements from all the persons concerned and reported that while there was moral certainty of the guilt of the accused persons there was not enough legal evidence to justify indictment. His honor said that he deeply regretted the inability of the law to reach the scoundrels who had so cunningly covered their crimes.

Sentence was suspended on the man and I immediately took him to an ante room of the court, where I had an alderman in waiting who married the couple.

* A SCAPEGOAT RELEASED.

A judge sent for me and asked to have an investigation made as to the character of the prisoner, a boy of sixteen, who in company with two other boys younger than himself, had pleaded guilty of burglary in the third degree, breaking into a picnic resort and stealing lead pipe. The younger boys had secured counsel and testimonials of previous good characters and had been released under suspension of sentence. It looked as though C—— was to be made a scape-goat because of the poverty of himself and family. Inquiry revealed the fact that he had been employed in a printing office for two years—ever since he left

school. His employers said that he had a very keen & good boy with them and that they would again employ him if he were released.

Business men and neighbors said it was undoubtedly the boy's first offense and offered to testify in his favor.

The family home was found to be a typical German home, sparse and dark. The father, a middle-aged man, was out of work and the home was supported by the older children. The old man explained that he had no money, no law, no lawyer and got his boy out. All he had was a few dollars which he wanted to keep.

I reported to the court that I knew of the fact that the boy had been a good worker for a month that he seemed to be intelligent and good and that employment was ready for him. I thought that the most important of the case would be to keep him out of the street. The court advised me for the interest and protection of the community to keep him out of the street.

ADDITIONAL CASES.

One month, among the thirty men who were provided with employment by the Association, was I——T——, an American by birth. T—— was a clerk in a Brooklyn fancy grocery store and had charge of the accounts. Leading a rather fast life and not earning enough money, he took that which did not belong to him, with the usual result. He was sent to the Kings County Penitentiary for petty larceny and served ten months in that institution. On his discharge he went to the home of his married sister, who lives in Brooklyn. Not being welcome there, he came to the office, having no other place where he could apply for help.

While working in the building it was noticed that he was a willing worker and one of unusual energy, and on this account his previous record was hunted up and it was found that he bore an excellent reputation in the neighborhood in which he was formerly employed. His former employer was called on, the facts of the case laid before him with the result that he

was at once re-employed in the store, resuming the position he held a year before.

A week afterward he called at the office to thank the Association for the act of kindness in re-establishing him in the ranks of wage-earners in a great city.

A PRISONER'S WIFE.

While going over the tiers of the old prison I noticed a woman visitor who seemed to be suffering with a cold. As she was wearing a straw hat such as women usually wear in summer, I thought she might be in distress.

The keeper informed me that she was visiting her husband who was awaiting trial for killing two men and that she was homeless. I left a card with the keeper and told him to send the woman to this office if she wanted help. She came the same day and said that she was almost entirely dependent on the charity of her husband's lawyers and the tombs keepers. Her necessities were provided for and Mrs. Foster gave her some clothing. She is now earning her own living, her husband having been sent to state prison for fifteen years.

DETENTIONS.

The agent of the Association visits the city prison (Tombs) and courts of the General Sessions "seeking to save some," and is greatly encouraged by the results. During the year, more than three hundred individuals received aid from the Association's representatives in some form. A few cases that serve to illustrate the work are given above. The duties of the agent are numerous, and in the performance of them he has always been assisted by the judges, the assistants of the District Attorney, officers of the court and members of the bar. His work is practical in every sense, and though sympathetic is not sentimental. He must exercise at times great care and judgment in making recommendations to the Court, and such recommendations are made after exhaustive and careful investigations, taking much time and trouble.

The agent seeks to aid:

1. Those who have been convicted of crime for the first time; in some instances recommending suspension of sentence, and in others the committment of the offender to a reformatory.

2. Those who are in prison through the persecution of enemies; those who are unjustly accused.

3. Those who have been driven to crime through poverty and want.

4. Those who are ignorant of the law's ways and their own rights.

5. Those who are the victims of disreputable and unscrupulous lawyers, known as "shysters".

In a hundred ways it is sought to brighten the lives of the poor fellows who are so soon to leave for prison.

REPORTS FROM OTHER STATES.

In the early part of the year 1800 Mr. W. M. F. Round, then corresponding secretary of the Prison Association of New York, sent to correspondents of the Association in different States a few questions relating to their penal system. The questions were as follows:

1. As to prison labor; whether it is conducted on the public account, contract, or piece-price plan?
2. As to the punishment for capital crimes?
3. As to the indeterminate sentence; whether it has been introduced in any form, and whether there has been any modification in its application?
4. As to the method of government of the prisons; whether by special department of the State, by board of managers, or by a single executive officer?
5. As to prison punishment; whether corporal punishment is allowed?
6. As to the cost of prisons to the community; whether they are self-supporting or otherwise?

The answers to these questions from ten of the States and from Canada, are herewith submitted.*

ALABAMA.

A large majority of the prisoners are leased to two mining companies: The Tennessee Coal, Iron and Railroad Company and the Sloss Sheffield Coal and Iron Company. Others are leased to sawmills and large farmers. Those who are pronounced unfit for labor in the mines are sent to the State farm at Speigner.

*A fuller exposition of the prison systems of the United States is given in a report on the Reformatory system in the United States, House document No. 459 56th Congress, 1st session, and on the Prison systems of the United States, Document No. 566, H. R. 56th Congress, 1st session, both prepared for the International Prison Commission by S. J. Barrows, commissioner for the United States, and submitted to Congress by the Secretary of State.

Most of the women and boys are sent there. A large cotton mill has been erected by the State at this point, and during part of the year the women, boys and some of the men work in this cotton mill. At Wetumpka, where the old penitentiary buildings are located, most of the prisoners whom we consider invalids are sent.

Capital punishment by hanging has never been abolished. But the sentence is often commuted by the Governor to imprisonment for life.

The Governor, by act of Legislature, has power to parole prisoners who are recommended by the prison authorities as suitable recipients of this clemency.

There are three prison inspectors, one of whom must be a physician. These are appointed by the Governor; the prison officials are appointed by the company leasing the prisoners. In the case of those who are under the direct care of the State, I think the Governor appoints the officials.

Corporal punishment to the extent of fifteen lashes a time is inflicted very often, not only for breaches of discipline, but for failure to complete task assigned. The prisoners are divided into three classes; to each class a certain number of tons of coal per day is prescribed as a task.

The prisoners bring a large revenue to this State.

JULIA S. TUTWILER.

II.

1. There is a reformatory now being built.
2. Hanging or life imprisonment. Discretionary with the jury.
3. Never been introduced.
4. Governed by a warden under direct supervision of the Board of State Inspectors and license issued to him by board, and signed by the president.
5. Corporal or solitary confinement.
6. Self-sustaining, and pays a neat sum into the general fund of the state.

S. B. TRAPP,

Montgomery, Ala.

COLORADO.

The prison system of Colorado includes the State penitentiary at Canton City, Reformatory at Buena Vista, Industrial School for Boys at Golden, and Industrial School for Girls at Denver.

The penitentiary and reformatory are managed by a board of three commissioners appointed by the Governor, the wardens being appointed also by the Governor. The industrial school for boys is managed by a board of three commissioners appointed by the Governor, the superintendent being appointed by the board. The industrial school for girls has a board of six trustees appointed by the Governor, the superintendent being appointed by the board.

Labor at the prison and reformatory is on State account. At the prison, building stone is quarried and dressed, lime and brick are manufactured, large tracts of farm land are cultivated on shares or the ground may be leased or a contract may be entered into for the improvement of raw land in exchange for use for a term of years. At the reformatory land owned by the State is farmed and minor industries are conducted of no great earning value.

At the industrial schools no labor of earning value is done, the main purpose being the education and training of the juvenile delinquents.

This State abolished capital punishment in 1897.

A modified form of indeterminate sentence was adopted in 1889. Trial courts fix a minimum and a maximum sentence. Paroles are recommended by the warden and the board of prison commissioners to the Governor. A State Board of Pardons, without salary, appointed by the Governor, recommends pardons of applicants from the penitentiary.

At the reformatory the sentence is the straight indeterminate, the maximum being the age of thirty years. Paroles are granted by the board of commissioners on recommendation of the warden.

Corporal punishment is permitted in all four institutions. At the penitentiary and reformatory the punishment is inflicted by

a wooden paddle, the prison physician being present. Minor punishments are loss of privileges and short terms of solitary confinement with light diet.

The earnings of the four institutions are not sufficient to make them self-supporting, each receiving maintenance appropriations at the biennial sessions of the State Legislature.

FLORIDA.

1. Prison reform in Florida is conducted by the board of commissioners of State institutions, through the commissioner of agriculture and supervisor of State convicts. Florida State convicts are worked under the contract system.

2. The punishment for capital crimes in Florida is death by hanging or imprisonment in the State prison for life or a term of years at hard labor.

3. The indeterminate sentence has not been introduced in Florida by law, but sometimes we give prisoners a release or pardon during good behavior.

4. The method of government of our State convicts is by a special department of the State, called "Board of Commissioners of State Institutions" whose executive officer is the commissioner of agriculture; this board prescribes rules and regulations for the management of the convicts.

5. Corporal punishment, but not severe, is allowed in this State.

6. State convicts do not cost the State anything after conviction, and the State receives \$21,000 per annum "net" for the hire of State convicts.

I append a report made to me on the lease system.

L. B. WOMBWELL,
Tallahassee, Florida.

THE LEASE SYSTEM IN FLORIDA.

To the Hon. L. B. WOMBELL, *Commissioner of Agriculture, Tallahassee, Fla.:*

1. At the camp of Captain C. A. Neal, in Alachua county, there are about 133 convicts; of these three are women, two

colored and one white, 27 white men and 103 colored. This is headquarters camp where prisoners are first delivered from the various counties where convicts are sentenced to hard labor in the State prison. The prisoners in this camp are engaged in mining phosphate. The quarters are built of wood, and are so constructed that the white prisoners do not eat or sleep with the colored. The rules are carefully observed, and the prisoners are made to bathe their faces and hands before eating, and after supper they are made to bathe their feet in a long trough in the dining hall, through which flows running water conveyed by pipes from an elevated tank. After bathing, the prisoners are marched through a door to an adjoining cell. Each convict being numbered and their bunks bearing the same number, the convict knows who occupies it. They are then made to take off their soiled clothes and put on a clean night robe and retire for the night. Their bedding consists of a standard size mattress, a pair of heavy blankets each, sheets and pillows. The dining hall and sleeping apartments are thoroughly scalded and scoured once each week. By these means a perfect sanitary condition is kept up. This applies to all camps in the State.

2. At the camp of Captain S. C. McKeithan there are 53 convicts, seven white men, two colored women and 44 colored men. Their care and management are very much like that of the above. They are engaged in phosphate mining in Alachua county. The above two camps are situated near Wade, on the S. F. & W. R. R.

3. At the camp of Captain A. H. Blanding there are 49 prisoners, all colored men. The sanitary condition of this camp is extra good, having a good system of waterworks. The prisoners are in fine health and spirits. They are also engaged in the mining of phosphate in Alachua county. This camp is situated at Duttons, Fla.

4. At the camp of Captain E. Kersey, near Elliston, Citrus county, there are 98 prisoners, 14 white men and 84 colored men. Recently a new, well ventilated house has been built for the accommodation of the white prisoners as their sleeping and eating

apartments. The camp is kept in good sanitary condition, the prisoners well fed and are healthy. These are also engaged in the mining of phosphate.

5. At the camp of Captain B. B. King, near Cordeal, Citrus county, there are 88 convicts, 17 white men, three colored women and 68 colored men. These prisoners are well fed and are healthy. The quarters are large and well ventilated, the sanitary condition good. These are also engaged in the mining of phosphate.

6. At the camp of Captain H. H. Cason, near Cordeal, Citrus county, there are 56 prisoners, five white men, one colored woman and 50 colored men. These prisoners are healthy and the sanitary condition very good, well ventilated and comfortably arranged. These men are engaged in the mining of phosphate.

7. At the camp of Captain L. B. Collins, near Floral City, Citrus county, I have to report that I have had more or less trouble in getting the rules and regulations enforced, but now, under the management of Superintendent Cox and Captain Collins, the prisoners are well cared for and an addition is being built to the cells which will provide much better accommodations for the prisoners. All in this camp are in good health and cheerful. There are 51 convicts in this place, 40 colored and 11 white men, no women. These are also engaged in the mining of phosphate.

8. At the camp of Captain W. J. Hillman, near Floral City, Citrus county, there are 42 prisoners, 39 colored men, one white man and two colored women. These are engaged in the manufacture of naval stores, or rather on a turpentine farm. All are in good health and cheerful. The camp is in fine condition, quarters large, neat and clean. The convicts in this camp have comfortable beds and each has a feather pillow.

9. At the camp of Mr. C. W. Varn, near Brooksville, Hermand county, there are 32 convicts, three white men, one colored woman and 28 colored men. This is a new camp, rooms large and well ventilated, prisoners healthy and well clothed,

sanitary condition good. These are also engaged in the manufacture of naval stores.

10. At the camp of Captain J. R. Powell, near Summerfield, Marion county, there are 43 convicts. The camps are new, quarters large and well ventilated, prisoners healthy, treatment good and sanitary condition fine. This is also a turpentine farm.

11. At the camp of Captain M. H. Harrison, in Clay county, there are 63 convicts, 61 men and two colored women. The prisoners are in good health, quarters new, large and well designed for the comfort of the prisoners, who manufacture naval stores.

12. At the camp of Captain A. A. Myers, near Bay Head, Washington county, there are 23 convicts, all colored males. Prisoners are well fed and healthy, and likewise manufacture naval stores.

The old system of chaining the prisoners together at night-time and while in their cells has been dispensed with. None of the convicts now wear chains and shackles at night nor while at work during the day, except a few of the more desperate character (say about 25 in all in the different camps), who are made to wear shackles until they become reconciled to prison life.

The managers of each camp are required to plant and grow from one to four acres in garden vegetables. The prisoners enjoy a healthful diet of fresh vegetables, such as Irish potatoes, turnips, beans, and will soon have an abundance of squash, beets, cabbage, collards, peas, etc.

A daily record of food is kept at the various camps, and a monthly report of the same transmitted to me.

The daily food consists of bacon, meal, flour, rice or grits, dried beans or peas, or green vegetables every day. Sirup, salt, vinegar and pepper are kept on the table for the prisoners when they need such. In the winter they are allowed fresh pork once a week, and in the summer fresh beef once a week. Fish, lard, onions, sweet potatoes, coffee and tobacco are occasionally issued to the convicts.

Some of the convicts who have been confined in the State prison for the last 15 years say that the present management

and treatment are far superior to what they had several years ago. Punishments for fighting, quarreling, cursing, disobedience to orders and laziness are inflicted with a leather strap, and has been restricted to a very few licks, and never over 15 lashes. Last month, out of a total of over 700 convicts, only 70 were punished, with from three to ten licks each. The contractors have learned that the better a man is fed, clothed and cared for at night, and the less he is whipped, the more work he can do. The convicts are not allowed to be worked before sunrise and after sunset, and those who work in the phosphate mines are allowed time at noon to come out of the mines, go to their quarters and get a warm dinner. Those who work on the turpentine farms have their dinners put in buckets and placed in a wagon, together with a barrel of water, which is driven over the woods with the prisoners, so they can have water at will and sit down in the shade at noon and eat their noonday meal. The prisoners in the turpentine camps are given a task, which they usually finish by Friday noon or night, and are paid money for work of Saturday, or they lie in camp and do nothing, as they may elect. The laundrying in the various camps is usually done by women or by such convicts as are not able to do hard labor. The contractors for each camp have a physician employed by the month, whose duty it is to look after the sick. Most of the camps are provided with a hospital, which is furnished with good mattresses and wire woven springs for the use of the sick. Ten of the camps have the religious services of local ministers. After my first visit to the different camps I saw the need of throwing every moral restraint possible around the State's prisoners, and I requested the Board of Commissioners of State Institutions to adopt a rule prohibiting the prisoners' guards and managers from card playing and profanity in and about the camps, which was done, and the results have been very satisfactory.

The ladies of Tallahassee and other places in and out of the State have been furnishing for some time to the various camps a good quantity of literature, which is appreciated by the prisoners.

INDIANA.

1. Both the reformatory at Jeffersonville, and the prison at Michigan City, let out the inmates by contract. There is a law in our statute books that was passed for the purpose of putting an end to the contract system, and to furnish the officers of the prison,—especially Michigan City, funds to change it to the public account system.

The policy of our management, and the intent of our legislation for the last few years, has been to make all of our penal institutions reformatory in their character, and make the education of the prisoner the main feature, only utilizing his labor in such a way as will more fully carry out that idea. Of course the contracts that were in existence at the time the laws were passed will have to be carried out. They will expire from time to time within the next three or four years, at which time Indiana will be upon the public account system, with the idea and intention of producing such articles as will be needed by the State or its institutions.

2. As to the punishment for capital crimes, the jury, in trying a person accused of murder, may, if the offense was committed with premeditated malice, sentence the prisoner to the penitentiary for life, or that he be executed by hanging.

3. As to the indeterminate sentence, the Legislature of Indiana in 1897 enacted a modified indeterminate sentence law as to felonies, except murder, by which they required the jury to merely ascertain as to whether the person accused was guilty of the offense charged or not. Upon a person being found guilty of a felony the court is required to sentence the prisoner to the reformatory, if over 16 and under 30, and to the penitentiary if over 30, for a maximum and minimum term fixed by statute. The maximums and minimums were the limits within which the former definite sentences were confined.

4. Our prisons are each governed by a board of managers. They appoint the warden at the prison and the general superintendent at the reformatory. These officers have full control of

the management of their respective prisons, to employ and discharge all their subordinates, only being responsible for their conduct to the board of managers. The board is responsible only to the Governor, who appoints them.

3. There is no corporal punishment in any of our penal institutions. It was abandoned many years ago, and public sentiment would not at this time submit to it.

4. As to the cost of the persons in the penitentiary, it is very difficult to answer this. Although the number of State prisoners is small, it is the understanding that our persons are almost if not altogether self-supporting, but we expect them to be less and less so year by year in the future.

THOMAS L. BRIDGES.

KANSAS

1.

1. The United States Penitentiary, which is situated at Fort Leavenworth, Kansas, is conducted on neither the contract nor the piece-price plan, nor does it manufacture anything for sale. The prisoners are at present engaged in constructing a new prison, and the work will probably keep them occupied for several years in addition to raising supplies of the farm for the use of the prison.

2. The laws of Kansas provide for punishment of capital crimes by hanging, but also provide that the convicted criminal shall be sent to the penitentiary, and shall remain until the Governor signs his death warrant, and as no Governor ever signed a death warrant in the history of this State the punishment amounts to imprisonment for life.

3. I do not think the indeterminate sentence has been introduced in any form in Kansas.

4. The State prison and the State reformatory are managed by a board of managers.

5. Corporal punishment is not allowed in the State.

6. The Kansas State prisons manufactures binding twine and sells the same to the farmers, also operates a coal mine, and

furnishes coal to the State institutions. The two industries are on public account. It also carries on, I believe, a shoe industry on the contract or piece-price plan.

I have no means of ascertaining the cost of the State prison to the state, but am prepared to believe that it is nearly, if not quite, self-supporting.

R. W. McCLAUGHRY,

Warden U. S. Penitentiary.

II.

1. The penitentiary of this State is conducted partly upon political account by the State operating the coal mines which are extensive and profitable, also by the manufacture of binding twine and by contract work to other parties.

2. It has been the statutory law of this State for many years that capital offenses are punishable by death, but no execution shall take place until after the convicts have been incarcerated in the penitentiary for one year, and then upon the order of the Governor. There have never been but one or two executions in the State and they were in the territorial days, or in the first days of Statehood. Public sentiment is such that it would not tolerate it, although annually there is a hue and cry raised in favor of it. The law is designated as "cowardly," "evasive" and so on, but when any public assemblage is given opportunity to express itself it is decidedly against the taking of human life. The result is interesting and there are fifty or more prisoners all the time under death sentence. They die or are pardoned so that the number is kept about the same.

3. We have no law in relation to the indeterminate sentence. Governor Stanley has made this question the most important one of his administration, and has adopted a parole system regardless of law and it is working charmingly, and meets with no criticism in any place. The Conference of Charities and Corrections has been in session in this State in Topeka, and much good is expected to result along these lines from a consideration of these subjects. Once Kansas people get interested in them they will

take the most advanced step in relation to them. I have been earnestly hoping that such result might follow.

4. The prisons are governed by a board of directors appointed by the Governor, and whenever there is a change in the political complexion there is a general turning out of officers, and men are put in more with regard to their political qualifications than otherwise, although to be sure, some of them are well qualified for these positions. The government is by a warden.

5. Corporal punishment is not administered.

6. The penitentiary is self-supporting. The coal mines and binding-twine plant, which latter has just been established, make "business" lively and the prisoners can scarcely do the work. The Legislature two years ago adopted something like the Minnesota plan in manufacturing twine, and while in the judgment of many it is violative of certain fundamental principles, it is justified upon the grounds of expediency and policy and those who view it from that standpoint are enthusiastic over it as an enterprise. The reformatory is reasonably successful and is administered upon the same plan as the penitentiary, there being separate boards for each of the institutions. The reform school, the girls' industrial school, insane asylums, deaf and dumb institutions, are controlled by a board of charities who receive their appointments through the Governor. There is no special increase or diminution of crime that is perceptible or notable conditions in these regards being normal, with a tendency upon the part of the more intelligent classes to appreciate the great responsibility and the importance of caring for the defective classes, by whatever name.

JOHN D. MILLIKEN,
McPherson, Kan.

LOUISIANA.

1. The convicts in our penitentiary are leased out, but at the expiration of the present lease, next year, they will work on account of the State.

2. Punishment for capital crime is death, or imprisonment for life.

3. We have no indeterminate sentence.
4. The penitentiary is governed by a commission, which directs the executive officers.
5. Corporal punishment is allowed in extreme cases only.
6. Our prisons are not self-supporting.

MICHEL HEYMANN,

New Orleans.

MICHIGAN.

1. The law provides that "it shall be the duty of the prison boards to meet once in six months in joint session to determine what line of productive labor shall be pursued in each prison, and in so determining boards shall select diversified lines of industry with reference to interfering as little as possible with the same line of industries carried on by citizens of the State. Under this provision we have in our prisons public account, contract and piece-price plans all in operation.
2. We have no capital punishment and no capital crimes. Life sentence took the place of capital punishment in Michigan in 1848, and the law is still in force.
3. The indeterminate sentence was introduced in Michigan and the courts quite generally availed themselves of this provision of the law until our supreme court knocked it out.
4. The three prisons in Michigan are governed each by its own board of control, such boards, however, are required to hold semi-annual joint meetings, which meetings result, to a large degree, in unifying the work.
5. Corporal punishment is permitted, but not on the bare person. When administered it is in the presence of a physician.
6. "Otherwise"; how much so depends largely on the book-keeping.

L. C. STORRS,

Secretary Board of Corrections and Charities.

TENNESSEE.

1. Prison reform has not been introduced in Tennessee.
2. The punishment for capital offences is death, or life imprisonment when there are mitigating circumstances.

3. The indeterminate sentence has not been introduced.
4. Our prisons are governed by a board of prison commissioners (three men) and a warden, all of whom are appointed by the Governor.
5. Corporal punishment is allowed and resorted to when necessary.
6. The penitentiary in Tennessee is self-supporting, and will pay into the State treasury this year a surplus of \$100,000.

JAS. A. OSMAN.

VIRGINIA.

1. Really very little is being done in Virginia in Prison Reform. The Governor has a power of conditional pardon which he uses wisely and well, but the physical conditions of our State penitentiary are very bad. We have, however, within a few years back, bought and have in operation a convict farm, which somewhat relieves the fearful conditions, and the Assembly has made an appropriation for a new penitentiary building which, it is hoped, will be such as to accommodate the prisoners decently and to admit of some steps being taken toward real reformatory discipline and training.

The contract system is in force in our penitentiary, the Davis Boot and Shoe Company being the lessee of our convict labor, but the discipline being under the control of the State.

Unfortunately, our Prison Association of Virginia has just entered into a similar contract for the labor of the boys in its school at Laurel. I think the system is a bad one, but that it works as well as such a system can be expected to work in our penitentiary. I dread it in our school.

2. The punishment for capital crime is at present hanging, but a statute has passed at the past session of the Legislature looking to the adoption of electrocution as the mode of capital punishment.

3. The indeterminate sentence has no existence in Virginia save in the School of the Prison Association of Virginia, and it was done away with even here at the legislative session ten years ago, but restored at this session just passed.

4. The State penitentiary is really governed by a superintendent, but there is a board of directors appointed by the Governor and paid a meagre salary by the State. They have, however, rather limited powers, and the Governor himself has final and ultimate control of many things.

5. Corporal punishments are allowed.

6. The State penitentiary, under the existing contract, is more than self-supporting, though, of course, many of us recognize that economy or thrift which makes dollars at the cost of utterly failing to make men and citizens out of convicts is a mistake. The jails are built by the county and cities, but most criminal expenses fall really upon the State treasury. So far as I know not a jail in the State does anything at self-support.

ROBERT STILES,

Richmond, Va.

WISCONSIN.

1. In the State prison at Waupun 350 men are making shoes under contract, the contract being for 50 cents a day. About 50 men are employed in a knitting factory, making hose on the piece price plan. There is no State account work done.

In the reformatory just organized about 50 men are employed making overalls on the piece price plan. No work is done on the State account except in the industrial departments, the products of which are sold.

2. The death sentence as a punishment for capital crimes was abolished in 1853. Imprisonment for life is now the only punishment.

3. The indeterminate sentence punishment is not in operation in the State prison, having been declared unconstitutional, but is in operation in the reformatory under a modified form, the prisoners being sentenced for not less than the minimum nor more than the maximum of the sentence for the crime committed. A straight indeterminate sentence would be much preferable so far as the management of the reformatory is concerned.

4. The prisons are governed by a board of managers called the State Board of Control, which also maintains and controls the other State institutions. The board has executive power.

5. Corporal punishment is prohibited by law in the State prison, but is permitted in the reformatory.

6. The prison is not self-supporting. With an average of 500 to 600 prisoners the cost to the State is \$15,000 a year more than the earnings.

JAMES E. HEG,

Green Bay, Wis.

TORONTO, CANADA.

1. In none of the penitentiaries, nor in the Central Prison in this city, which is an intermediate between the jails and the penitentiary, is the contract system as to leasing the labor of the convicts by the day in practice. To a limited extent, in a few of them, goods are manufactured on the "piece price" plan, the contractors having no jurisdiction over the convicts in any manner, work on public account engaging by far the largest portion.

2. Capital punishment is in force over the whole Dominion. No change is desired, and its continuance is favored by the people.

3. For several years the prison reformers have been urging upon the Federal Government the desirability of adopting the indeterminate sentence, the parole and probation systems, now in operation in many of the States, it alone having power to make changes in the criminal law. In 1899 conditional liberation was enacted to apply to the penitentiaries only. We have been urging the extension of it to the Central Prison and to the reformatories, and at the same time the adoption of the indeterminate sentence, but it is doubtful if anything will be done in that direction this year.

4. For the five penitentiaries under the Federal Government there is one inspector, and each of the provinces has one or more for the gaols, reformatories and insane asylums. For this province (Ontario) there are three—one for the Central Prison, the women's and boys' reformatories, one for the county gaols and one for the insane asylums. There are no boards of supervisors to correspond with such bodies in the United States, apart from those in charge of the industrial schools and the children's aid societies.

5. Corporal punishment is permissible in all prisons and reformatories in Canada. When properly administered it is preferable to solitary confinement for incorrigibles. It is expeditious in effecting results; more lasting and effectual than any other corrective.

6. None of the prisons in Canada are self-sustaining, nor is the attainment thereto now made an object in their management.

JAMES MASSIE,

Toronto, Canada.

PROBATION.

BY WARREN F. SPALDING.

SECRETARY OF THE MASSACHUSETTS PRISON ASSOCIATION.

REFORMATION WITHOUT IMPRISONMENT.

There was a time when it was supposed that the only way to deal with criminals was to punish them with great cruelty, in order to deter them from the repetition of their offences, and to strike terror to the hearts of others who might be tempted to similar crimes. The death penalty was used indiscriminately; torture was a common thing, and the loathsome dungeon, with all its deprivations and horrors was depended upon to prevent crime by deterrence. But the expected results did not follow. Criminals adjusted themselves to the severest conditions, and the volume of crime was not diminished.

Gradually the world has been feeling its way toward better measures and methods. The impulse imparted by Howard led to the construction of improved buildings, and to better care for the physical well-being of their inmates. But the improved prison was merely a place of more humane confinement. Then came the suggestion that criminals might be included among those who could regret the past, and the suggestion was embodied in the name "penitentiary"—a place of penitence. It remained for the present generation to take a still more radical step—to assume that criminals might not only be penitent for the past, but might redeem the future. The new doctrine is stated in two parts—that criminals may reform, and that they may be reformed. The first puts the main responsibility upon the wrongdoer; the second puts a part of it upon the State. The acceptance of this responsibility by the State has led to the establishment of reformatories, fitted with every device by which the State may fulfill its obligations to assist the prisoner to reform.

The development of the reformatory has made rapid progress. Its principles are well understood. Within a very few years nearly every State will have its reformatory, and will be trying to reform a considerable percentage of its criminals.

IS IMPRISONMENT NECESSARY IN ALL CASES?

More recently a new question has been pressing for an answer: "Is it necessary to imprison a man in order to secure his reformation?" The question cannot be answered with a simple "Yes" or "No." There can be no doubt that the imprisonment of recoverable men is necessary in many cases. The man to be reformed must be brought where reformatory treatment can be applied, and must be kept there. He needs to learn many things which cannot be taught him unless he can be in an institution. This class includes those deliberate criminals whose offences are due to criminal instincts and purposes; those who are defective, physically and mentally; those who are incapable of self support because of lack of knowledge of trades; those who have never learned respect for or obedience to authority; those whose criminality is due in some measure to illiteracy; those who are homeless and friendless and have a predisposition to vagrancy and to wandering about. These must of necessity be imprisoned when they are to be subjected to reformatory treatment, because it cannot be applied otherwise. They must be subjected to strict discipline, and many of their other needs can only be supplied when they have been taken by force from vicious surroundings, put under moral, ethical and religious instruction and compelled to fit themselves for self support. To these large classes must be added a still larger one, composed of persons who have committed offenses so grave that the community reasonably demands that they be subjected to imprisonment for its own protection. This imprisonment is not to be considered as a determination that they are not recoverable, but only as a wise precaution, in view of their very serious offences, which are properly accepted as a proof that they have characteristics which for the time unfit them to be at liberty.

But when all these have been excluded, there remains a very large number whose reformation without imprisonment may be reasonably expected. They include many minor offenders, whose offences do not indicate criminality, but who must be deterred, in some way, from their repetition. They also include a large number of persons whose offences are the result of sudden impulses, some who have fallen into crime on account of circumstances, and many of those whose crimes are due to drunkenness. Some persons who have committed serious offenses may also be dealt with in this way.

RESTRAINTS OF CUSTODIAL SUPERVISION.

How shall the system be administered? It is essential that the offender shall not be allowed to be at liberty, fully. In most cases he needs some restraint. He should also be made to understand that by his offense he has to a certain extent separated himself from those who are wholly free to do as they please; that he has shown tendencies and weaknesses which justify the State in assuming an oversight of his conduct. It may properly do more than this—it may direct the details of his life so far as it sees best. The court may wisely say that if he is to retain his liberty he shall keep away from the saloon and other haunts of vice; shall shun evil companions; shall do, in fine, whatever is thought necessary to prevent a relapse.

This course has always been taken in a few instances. It has been done by laying cases on file, or continuing them from term to term, the exemption from imprisonment being dependent upon the continuance of good behavior. One defect of this method is that it produces a wrong impression upon the offender. It minimizes his offense in his eyes. He feels that he has been "let off" because his wrong-doing was of little consequence. The community is very likely to receive the same impression, if this course is taken in any large number of cases, and disregard for law follows. True, the suspension is conditioned, nominally, upon continued good behavior and upon a compliance with conditions imposed, but it is well known that

cept in rare instances there is no way of knowing whether the conditions are kept or not, and usually the case remains on file permanently unless the person commits a new offense. There is little or no attempt to keep informed regarding his conduct, in detail. He understands the court to say to him, "You can do as you please, but you mustn't do so again."

At this point the probation system differs vitally from that which has been described. The offender is not released from custody and control. He is as truly in custody as is the man who is imprisoned. He is allowed to be "at large," but he is not free. His liberty is continued upon his compliance with certain conditions, and he is placed in the custody of the probation officer, whose duty it is to see that he complies strictly with the conditions. The standard for his conduct is higher than that of the citizen who has not been found guilty of breaking the laws, for the latter can go into the saloon, or with vicious companions; can work or be idle as he pleases, and nobody can interfere with any of his actions until he breaks a law. But the State requires the probationer to avoid all courses tending to lead to crime, appoints a man to see that he obeys, and compels the probationer and the probation officer to report to the court. Practically the court says to the probationer precisely what the superintendent of a reformatory says to one in his care, not, "You mustn't do so again," but, "You must reform"—change your whole manner of life, not only avoid overt criminal acts, but avoid everything which tends in the wrong direction.

PREVENTION OF PRISON CONTAMINATION.

The advantages of this plan are many. The most important is the segregation of law-breakers. In quite a percentage of cases the man who commits his first offense has no criminal acquaintances. Imprisonment throws him into contact with men who are criminals at heart. One-half of all the inmates of Massachusetts county prisons have served previous sentences, and 15 per cent of them have served in the same institutions from six to 50 times before. To force into such companion-

ships the man who has heretofore kept himself among reputable associates cannot fail to injure him. Probation also saves the offender from the prison brand. When one becomes known as a "jail bird" he loses in self respect and many of his hopes vanish. Disgrace also attaches to the family of the prisoner, especially to his children. The loss of his wages by his family is a serious thing. Many offenders have families and support them. When they are imprisoned the families become dependent. The prisoner also loses his place in the world. Some one else takes his situation, and when he returns from the prison he may remain idle for a long time, involving himself and his family in conditions which lead to pauperism. He is very likely, under such conditions, to lose his courage and relapse into crime. It is a serious thing, also, to break the bond between a man and his family, and to relieve him of the feeling of responsibility for their support. When he finds (and they find) that their support does not depend upon his industry, great harm has been done.

All these evils can be avoided by custodial supervision, which prevents the contamination of prison life; saves from the prison brand; retains the offender in his place in the world, as a wage earner, and compels him to support his family. With this is the added direct advantage of the friendly counsel and support of the probation officer, whose duty is not so much to watch him as to watch over him and re-inforce his resolutions and purposes.

RESULTS OF MASSACHUSETTS EXPERIMENT.

These are not abstract theories. Massachusetts has been practicing them for ten years or more, under the present law, and many years more in a tentative way under a previous statute. More than 5,000 cases are taken on probation every year. The results have been so satisfactory that this year the Legislature has authorized important extensions of the system, and created machinery which will make it possible to greatly increase the number of probationers. It has been found that comparatively few persons relapse or disappear while on pro-

ation and that probationers who had neglected their families now support them. (One probation officer collects wages of probationers amounting to more than \$4,000 a year and disburses it for the support of their families in cases of "neglect of family" alone.) Embryo criminals are kept under close observation and the weak are strengthened and upheld.

Besides the work of custodial supervision, the probation officers render a very important service in investigating criminal cases. Before the office was created the courts knew little of those arraigned except that they had committed certain offenses. The probation officers are now able to inform the courts of previous offenses, if any, and in regard to the family of the accused; whether he is employed or idle; whether he supports or neglects those dependent upon him, and in fact everything which will enable the court to dispose of the case wisely.

PROBATION FOR PERSONS SENTENCED TO PAY FINES.

In recent legislation probation has been extended to cases in which fines are imposed. Heretofore if the fine was not forthcoming at once, the person must be imprisoned. The unreasonableness of expecting to find three dollars in the pocket of a man who was just getting over a spree was so apparent that the new law authorized the suspension of the imprisonment, putting the man in control of the probation officer, to whom he may pay his fine. It is expected that the new law will prevent a large number of commitments, thereby saving a large expense for commitment fees, enabling the men to retain employment and secure a much larger revenue from fines.

Nothing can be more unbusinesslike than the present system of dealing with persons upon whom fines are imposed for minor offenses. To secure the payment of the fine it is necessary to provide for imprisonment as the alternative of non-payment. The result has been that in Massachusetts, in 1899, 16,173 were committed to prison for non-payment of fines, and 4,323 paid their fines in order to secure release from prison. In other words, the attempt to secure the fine by imprisoning the convict

failed in about three-fourths of the cases. The attempt cost the taxpayer the expense of committing more than 16,000 persons and of supporting more than 11,000 of them for a time. The 4,323 who paid their fines would have done the same if they had been placed on probation with the condition that they pay their fines to the probation officer, and many of those who did not pay, because prevented by imprisonment from earning the money, would also have paid them if they had been placed on probation. The public treasury will receive more money from fines by making the probation officer instead of the prison keeper the collector, and will make very great savings on the cost of commitment and the cost of maintaining prisoners held for non-payment of fines.

ECONOMY OF THE PROBATION SYSTEM.

One of the principal objections made to the probation system has been that it was expensive. It was shown that while the cost was large, it was more than offset by the enormous savings. The expenditure in Massachusetts for salaries and expenses of probation officers is about \$59,000 a year. At the lowest possible estimate the savings to the taxpayer upon the bare cost of support of the probationers, had they been imprisoned, would have been more than \$70,000. In this estimate no account has been taken of the great saving to the community, indirectly, from requiring the probationer to support his own family. It is a moderate estimate that the 5,626 persons taken on probation in Massachusetts in 1899, if they had been sent to prison, would have served three months each. If they had earned during their probation an average of \$5.00 a week each, their aggregate earnings would have amounted to more than \$365,000. Such figures as these assist us in realizing to some extent the indirect costs and losses due to crime.

The figures given pertain to inferior courts only. The record in the superior court, when probation officers have been appointed, shows similar financial results. District Attorney Robert O. Harris, of the Southeastern District, composed of Nor-

Norfolk and Plymouth counties, secured the appointment of a probation officer to take charge of cases disposed of by the superior court in those counties. It is not customary for the district attorney to make a printed report, but in view of this new departure he has published a statement explaining the probation system, and telling the results of the work. Following is an extract from his 1899 report:

"In Plymouth county, twenty-two men have been taken. Of these six had to be surrendered by the officers, two have wavered some, and fourteen have met all our hopes. In Norfolk county eighteen were taken, one of whom was a young woman. One only has disappointed me. The woman is doing finely, and occupies a position of trust with people who know her record. Several of the men have secured positions in other States, but continue to report regularly. One young man enlisted in the army, was sent to the Philippines, has been fighting all summer, but continues to report by letter. His last letter was written in the trenches outside of Manila, and was manly and promising in tone. Surely such results justify the effort.

"To the taxpayers, as taxpayers only, aside from all questions of sentiment, of philanthropy, there is also comfort in these facts. The seventeen in Norfolk county, if sentenced, would have received an average of eight months each. Reckoning the cost of maintenance at \$15.00 a month we have a saving of \$2,040, or nearly three times the officer's salary and expenses. The fourteen in Plymouth county would have received an average of nine months, and on the same basis of cost, this represents a saving of \$1,890, or two and a half times the expense. Add to this saving what it would have cost the towns to support dependent families and relatives, and the earnings of the men themselves, and the purely financial aspect of the question is a satisfactory one. When to this is added the moral and philanthropic aspects, we find a whole that is encouraging, and that may well lead us to hope for still greater improvements in the management of the weak, the reckless and the vicious.

THE PROBATION SYSTEM IN MASSACHUSETTS.

ELIZABETH L. TUTTLE, PROBATION OFFICER, BOSTON, MASS.

More than thirty years ago the late Rufus R. Cook daily visited the courts of Boston with a view to helping men, women and children—especially the latter—who had been led to commit crime so openly that the police were called upon to interfere.

"Uncle Cook," as he was familiarly called, the prisoner found a friend who would intercede for him with the judge and beg him to extend the case until the offender had been given an opportunity to reform. This was the beginning of probation work in the municipal court of Boston. It was, however, the work of a volunteer, and confined almost wholly to juveniles. The court found the work excellent, but insufficient, and in 1878 a law was passed authorizing the mayor and aldermen in the cities, and the selectmen in the towns, to appoint a probation officer who could do substantially what the probation officer does to-day. This was not, however, mandatory, and the courts failed to recognize the law, or, rather, it was not enforced. Mr. Pettigrove, ex-Secretary of the Commissioners of Prisons, says: "In 1891 we made the recommendation that the probation officers should be appointed by the judges of the court, who have abundant wisdom and perfect independence in carrying out the law, without regard to political influence." This act was passed in May, 1891. At the present time there are 70 probation officers in Massachusetts. Eight of these are at the Central Court in Boston—six men and two women.

Massachusetts has the distinction of having first recognized probation as a necessary and proper part of the administration of criminal courts, and until about two years ago the system has been confined to Massachusetts. At the present time there are 10 probation officers in Vermont, three in Minnesota, one each

in New Jersey and Illinois, and two in Rhode Island—one of the latter is a woman, and, I regret to say, she is the only one besides Miss Maynard and myself in the world. There are, however, at least three women who are doing most excellent work along this line. Mrs. Hersey (I think), who is at the head of a rescue-home for women, has been appointed a police officer by the mayor of a western city; Mrs. Bellamy, who is allowed to take girls and women from the court in Toronto, and Mrs. Foster, of New York, who, I have been told, "has the ear of all the judges, from those in the police courts to those on the bench in the Supreme Court."

We are asked, "why should female offenders be dealt with exclusively by probation officers of their own sex?" We reply, the reasons are many, but perhaps the most important are, first: When under the influence of liquor women are unaccountable for their actions or speech, and can be better interviewed by their own sex; second, many times investigation, especially in criminal cases, could not be made by men, because information would be withheld by the keepers of houses, employers and others; third, while on probation women often require assistance and advice which might better be furnished by their own sex; and fourth, it is obvious that the visits to their homes could not with impunity be made by men.

The girl juveniles also come under our care. Boys over 14 years of age are usually placed in charge of the chief probation officer, while the younger Protestant boys (since February 1, 1889) have been placed in the care of an agent of the Boston Children's Aid Society, and since March of the same year Roman Catholic boys have been in charge of an agent of the Society of St. Vincent de Paul. Recently a number of boys have been placed in charge of the State agent.

Juveniles are usually brought directly to court on a summons, instead of a warrant, because the latter might necessitate a detention in prison over night, where, although in separate cells they would unavoidably hear much that is undesirable from adult prisoners. They are never brought to court with adults, and are

ed in a special session. Comparatively few are re-arrested. I do not know whether this is due to the fact that the court has reasons for them which serve as a restraint or because they are being guided by firmer hands.

The court has a very demoralizing effect upon some children and we advocate that every expedient be used, and exhausted, before the culprit is humiliated by being branded a criminal.

Very seldom is a woman arrested for her first offence. As a rule our police officers dislike to arrest women, and many times I put them on cars or in carriages, and not infrequently conduct them to their own doorsteps if, at that point, they are in addition to care for themselves. The nightwalkers are often returned several times before they are arrested.

The following outline, prepared two years ago, may interest those who wish to know some of the details of our work.

All women arrested within the city proper, comprising the North, South, East and West Ends, and Back Bay as far as the Roxbury line, are brought to the House of Detention (or city prison for women) from the station-houses as soon as practicable after their arrest. The men, on the contrary, are detained at the station-houses until 7 in the morning and 7 at night, when they are transferred to the city prisons.

Occasionally women are bailed at the station-houses, but are usually brought to the House of Detention, where they are received by the day or night matrons. With each prisoner the matron receives a card, giving her name, address and description, the offence with which she is charged and the name of the arresting officer. Every morning, Sundays and holidays excepted, Miss Maynard or myself are at the House of Detention at half-past 6 o'clock, where we copy the cards sent from the station-houses, listen to such information as the matron may have gained during the night, and examine the statements which all women arrested for drunkenness are required to sign, said statements being petitions to the presiding justice for release, even though this special arrest may not be the first during the year. We then talk with the women, who are usually in condition for court

appear at the time appointed by the judge, a default warrant is issued, and sooner or later her whereabouts are discovered and she is brought into court. Occasionally we find that ignorance and not wilful neglect is the cause of her non-appearance, and the woman is given another trial on probation.

We keep careful records of each case, using a card system not unlike that used by the Associated Charities, and have found a cross reference card invaluable, since the majority of women seek to conceal their identity by giving assumed names. One has 32 and many have more than 12. These records must be kept accurately in order that they may be of service in the civil, divorce and even the United States court, as well as the municipal and superior criminal courts, while from time to time the judges of the Cambridge, Jamaica Plain and Chelsea courts, as well as various State, city and charitable societies may also call for data.

In cases continued for further investigation we depend somewhat upon the probation officers in the cities and towns where the women or their friends may live, but not infrequently after adjournment of court we deem personal visits imperative.

If we have reason to believe that a woman who is on probation, or one for whom we have a default warrant, is frequenting disreputable houses, or smoking parlors, the dance halls, or the Chinese quarter, we visit these places at night accompanied by one or more officers. If she is found we take her to the House of Detention or the nearest station-house, where she is booked for "Violation of Probation," sent to the House of Detention, and in the morning taken to court, where she is surrendered and sentenced.

The first of each month we send to the Prison Commissioners a full report of the work of the preceding month.

Before the first Monday in each month we prepare for the superior court the cases of all women who have appealed from the sentence of the municipal court. Here the district attorney or the chief probation officer who has charge of the women, as well as the men, may call upon us at any time to make further

investigation of the cases, to arrange for relatives to come to court, if the women are to be intrusted to their care, and not infrequently to escort women to evening boats or trains.

Among the most hopeful features of our work is that of taking on voluntary probation, and so keeping out of court wayward girls and women who, by reporting regularly, learn to confide in us and apparently to appreciate the narrowness of their escape.

We have also frequently received letters and calls from women many months after their dismissal from probation. For more than five years one woman has not failed to call once in two months, when she has invariably brought flowers. This preventive work is of vital importance to the individual, the city and the State, and is happily increasing year by year.

During the year ending October 1, 1900, the cases of 14,933 persons were investigated by the probation officers of the Central Municipal Court. Of these 2,818 were women and girls, 1,833 of whom were arrested for drunkenness and 985 for criminal offenses, from larceny and vagrancy to the various offenses against chastity and the public welfare. During this period 414 women and girls were placed on probation, 38 of whom, having shown no disposition to reform, were surrendered; 116 were defaulted (this number should be 87, inasmuch as 29 of these were among the 110 who were sent to charity homes to remain from four months to one year). Forty-seven were sent to relatives or friends, and 260, more than one-half, were dismissed by the judge at the end of the term of probation. We made frequent visits during the year and corresponded with those who could not report in person, while a large number of the women called at the office from three to eight times a month, as the case seemed to require. Many were induced to take, and, what is more to the point, to keep the pledge. Employment and temporary homes were found, and a number of women were persuaded to save their earnings and put them to a proper use.

It is an indisputable fact that very little good is accomplished by imprisonment. Many times the offender is locked up only long enough to regain health and strength, thereby renewing

er disposition and ability to plunge more deeply into sin. We feel, therefore, that as many as possible should be given a trial on probation; and it is gratifying to remember that on the first day of last October 30 per cent. of the women who were placed on probation in 1896 had not, to the best of our knowledge and belief, been rearrested.

We admit that the value of probation—*suspension of sentence*—is largely determined by the nature of the offense in question," that is, "its application is less hopeful in cases of immorality than in cases of larceny or drunkenness."

In each case, however, the character of the individual, the nature of the offense and the home to which a woman may be going, are taken into consideration when fixing the length of the term of probation.

We have been asked to classify the women (arrested for drunkenness) who are sentenced, fined, released or placed on probation, and the following may be found interesting:

First. The girl who, after the theatre, frequents the restaurant or hotel with her escort and drinks to excess. First arrest—Defaulted, released or fined.

Second. The girl who has been staying out nights and causing her parents anxiety, perhaps frequenting dance halls or the Chinese quarter. First arrest—Probation (if released she will surely be rearrested on a more serious charge).

Third. The woman, tired and discouraged, who drinks because her husband or parents are in the habit of drinking. First arrest—Released on probation.

Fourth. The old offender who, tired of prison life, has endeavored to find work, professes a desire to abstain from intoxicants and begs for "one more chance"—Released on probation.

Fifth. The girl or woman who has passed beyond the control of her parents or friends, has been warned by the police, but continues to frequent saloons and questionable resorts. If her first arrest, probation may be tried, *provided* she will go to one of the homes (or "private prisons" as some one calls them) to remain

from four months to one year. If she refuses she is usually sentenced to Sherborn for the term of one year.

Sixth. The old offender who, thinking she can withstand temptation, returns to her old haunts and companions—sentenced or fined.

Seventh. The old offender who has no home, drinks for the love of it, has passed nearly all of her life in prison or the almshouse—sentenced.

Boston, November, 1900.

PRINCIPLES OF PRISON REFORM.*

BY EX-PRESIDENT RUTHERFORD B. HAYES.

Prison reform has nothing in common with the sentimentalism that makes martyrs out of condemned murderers, heroes out of hardened felons. It does not send women to the cells of the condemned, with rare delicacies, and costly flowers; it is not for those who do such things. It does not sign petitions for executive clemency, simply because somebody presents them; it does not excuse those who do such things with indiscriminating sensibility. It is for those who are foolish and weak people, who have small comprehension of the true principles of social order. Prison reform begins with the enforcement of law; it insists upon the punishment of criminals as necessary to the security of society and the promotion of virtue, and as best every way, for criminals them-

As recognized high authority on the subject of prison reform, Wm. C. Clinkerhoff, of Ohio, says: "The two dominant ideas in the management of prisons and in the treatment of prisoners are, or at least should be: (1) the deterrent influence upon those outside, and (2) the reformation of those inside." With these principles in mind, the association also confidently advocates the use of various methods. Among them, some of the chief are: classification of prisoners, industrial training, productive education, and religion.

As to jails, prison reform declares that the county jail system as administered in the United States is a disgrace to civilization and that the administration of justice cannot be freed from the charge of maintaining training schools of crime, until the construction and management of these places are radically changed, so that their inmates shall be separately confined and

Excerpt of an address before the National Prison Association.

all contaminating intercourse rendered impossible. The county jail should secure such separation, that no prisoner shall be allowed to associate with any other prisoner.

2. Prison reform requires that, wherever it is practicable there shall be separate prisons for women, with officers of their own sex; and that in any prison where women are held under arrest, or as convicts, matrons or female officers ought to be in constant attendance.

3. Prison reform urges the adoption of inflexible rules under which the habitual criminal—the unreformed convict—shall always be held within prison walls. Is it not a reproach to the administration of criminal justice, that well known professional criminals, after repeated convictions, are still at large, preying upon the community and requiring the constant and vigilant efforts of the police to protect life and property?

4. The friends of prison reform hold that promptness and certainty in the detection and punishment of crime are the chief agencies by which society can protect itself against the criminal class; and that the deterrent forces of the law now lose a part of their value, through the needless delays, uncertainties, and irregularities of criminal jurisprudence; they therefore earnestly recommend such changes in the laws and their administration, that judgment against crime shall be executed with certainty and speedily.

5. Prison reform would abolish in all prisons vindictive personal punishments. To maintain the best discipline in prisons we must appeal to something better than the lash, the thumb screw, or other form of physical torture. There may be exceptional cases, but certainly they are very rare.

6. Prison reform encourages organized Christian effort to aid and care for prisoners after their discharge. In most cases, now, society does not give the discharged convict a chance to avoid his old haunts and his old companions in crime. The brand of Cain is upon him and every man's hand is against him.

7. Prison reform recommends the general education of the youth of both sexes in industrial pursuits, employing and training the faculties of both mind and body in productive labor, as an efficient means of preventing crime.

THE REFORMATION OF THE PRISONER.

All systems of indeterminate sentences, of mitigated restraint, Irish probation schemes, of ticket-of-leave devices, and finally discharged prisoners aid societies, have meant this, the slow opening of the closed hand, the gradual restoral, not by a foreign power to which he has been given away, but by humanity itself which has held him for a time in a special care, and now gives back to herself, to her own normal life this prisoner whom she has never ceased to think of and treat as a true man

AID FOR DISCHARGED PRISONERS.

Of all such efforts, the discharged prisoners aid society, which is voluntary, and so is the freer action of the community receiving the released portion of itself, is most interesting and hopeful. I think there is nothing in the prisoner's whole history which so appeals to us as his position when that society addresses him. It has lain the sole resource of many a poor creature, standing in what we may deliberately call the most forlorn and desperate condition which civilization has to offer to a human being—the position of the discharged prisoner. Without such a society there would be little hope. Even with it, the discharged prisoner's condition is the bewilderment and almost the despair of prison philosophers. It is a part of the opening of the hand that not in the official state, but in such a society, must be his hope. And yet such a society is good for nothing, unless it utters a living soul behind it in the whole great world of men, unless it is the expression of a hopefulness, a tenderness, a determination, a faith in God, a confidence in man, a pity, a willingness to give the worst man a new chance, a sense of the universal weakness and sinfulness, which makes together the real warmth and openness of the hand which, having held the prisoner in constraint would

now welcome him back into the world of character and self-respecting work.

SENTIMENT VERSUS SENTIMENTALITY.

I know, how weak in many people's minds are my positions, because they rest on sentiment. I know how weak in many minds seems the whole cause of prison improvement, because of the element of sentiment which is in it. But there is nothing stronger than a true sentiment for any policy or plan of action to start from and to rest upon. The great human sentiments are the only universal and perpetual powers. Creeds, schemes of government, political economies, philosophies, are local and are temporary; but the great human sentiments are universal and perpetual. Upon them rests religion. In their broadening movement moves the progress of mankind. It is not sentiment, but sentimentality, which is weak and rotten. The first necessity of a congress like this is to feel the difference between the two. Sentiment is live, and tense, and solid; sentimentality is dead and flaccid and corrupt. Sentiment is just; sentimentality has the very soul of injustice. Sentiment is kind: sentimentality is cruel. Sentiment is intelligent: sentimentality is senseless. Sentiment is fed straight out of the heart of truth; sentimentality is distorted with the personal whims and preference. Sentiment is active: sentimentality is lazy. Sentiment is self sacrificing: sentimentality is self-indulgent. Sentiment loves facts: sentimentality hates them. Sentiment is quick of sight: sentimentality is blind. In a word, sentiment is the health of human nature, and sentimentality is its disease. Disease and health often strangely look alike, but they are always different. He who would escape sentimentality must live in sentiment. He who would keep sentiment true and strong must fight against sentimentality, and never let himself accept it for his ally. In these days, when many men are disowning sentiment because they confound it with sentimentality, and many other men abandon themselves to sentimentality because they con-

found it with sentiment, do not all men need to learn and never forget their difference? Do any men need more to learn and to remember it than any who have to deal with prisoners and prisons?

I have tried to point out where the true source of the true sentiment upon our subject lies. It is in the undestroyed, the indestructible manhood of the prisoner. It is in the Christ in the prison. "I was in prison and you came unto me."

SENTIMENT AND DUTY.

It is not right, and all experience has taught us that it is not safe, to forget or to ignore that truth. The world is so a unit, so absolutely one utterance of the nature and the will of God, that sentiment, duty, and safety, always, if we can only see them truly, go together and re-enforce each other. They make the three-fold cord that draws the world along. Where sentiment grows weak, duty comes in with its insistence. Where sentiment and duty together cannot make their voices heard, the fear of safety rings its tocsin bell. So everywhere mercy and truth meet together; righteousness and peace are always kissing each other. Sentiment, duty and safety—never have these three combined in greater harmony and strength than in the wonderful regeneration of prison life which has marked the last hundred years. From the first journey of John Howard to the act of 1877, which completed the unification and regulation of the whole prison system of England, was just a century. During the same period the United States, with even greater enterprise and boldness and intelligence, has moved onward in the same direction. Sentiment and duty and safety have combined to work the great beneficent result.

The work is not complete. Do not our thoughts indicate the direction in which alone it can obtain completeness? The man held in the grasp of the state which represents and expresses his humanity, that is the prisoner. Only by the advancement and improvement of that humanity; only by a more human and so a more humane spirit in the state; only by a purer, nobler,

more just, more generous, more Christian life everywhere; only by a better manhood to hold in its grasp the weak or wicked man; can this special improvement, or any special improvement, come about. In the hand which holds must be first the ripeness and the strength which it shall give then to the broken, enfeebled, and demoralized nature which it holds. Therefore all good influences are confederate with this for which our congress is assembled. The state must be more full of sacredness before it can know the sacredness of the man whom it imprisons, and so accept its deep responsibility concerning him. The time will come, the time is coming, when the preciousness of every human soul shall no longer be a mere doctrine of the churches and the schools, but shall become the soul and shaping power of our softened and humanized institutions. Then shall our prisons become the true recreation and renewal places of character. Then shall what seemed dead in them be born anew. And seeking the true man, the Christ, in every prisoner, the eyes of those who seek shall find it, and their hands shall help it forth into activity and light.—*Rev. Phillips Brooks, D. D., sermon before the National Prison Association, Boston, 1888.*

RESIGNATION OF MR. W. M. F. ROUND.

At a special meeting of the Executive Committee of the Prison Association of New York held at 32 Nassau street, in the city of New York on August 30, 1900, a communication from the Corresponding Secretary, Mr. W. M. F. Round, resigning his office as corresponding secretary, on account of impaired health, was read, and on motion, the resignation was accepted and the secretary was instructed to express to Mr. Round the regret of the committee at the reasons impelling his retirement after a long term of efficient and devoted service.

ELECTION OF HON. SAMUEL J. BARROWS.

The Prison Association of New York has the satisfaction of informing its friends and the public, that the vacancy in the office of Corresponding Secretary, left by the resignation of Mr. Wm. M. F. Round, has been filled by the election of the Hon. Samuel J. Barrows, late member of Congress from Boston, and for the last five years the member for the United States of the International Prison Commission.

Anticipating a continuation of your interest in our work, and of its efficiency, so dependent on your support, we heartily commend Mr. Barrows to your esteem and confidence.

CHARLTON T. LEWIS,
President.

EUGENE SMITH,
Secretary.

CHARLES DUDLEY WARNER.

The members of the executive committee of the Prison Association of New York, on the occasion of the fifty-sixth annual meeting of the association, place on record their sense of the deep loss which the cause of prison reform in the United States has sustained in the death of Charles Dudley Warner, a vice-president of this Association. For many years, with pen and voice, Mr. Warner, notwithstanding engrossing literary and journalistic labors, gave himself with great devotion to the advocacy of modern principles of penology. He was one of the first to recognize the value of the reformatory system as developed in this State. He was a forcible advocate of the principle of the indeterminate sentence. He frequently attended the National Prison Association and able articles from his pen are found in its proceedings and in those of the International Prison Commission. Mr. Warner was an interesting and inspiring example of a man who, while making charming contributions to American literature recognized and nobly fulfilled his duties to the State and to his age.

LOCAL COMMITTEES.

ALBANY COUNTY.

Residence, Albany.—Rt. Rev. W. C. Doane, Rev. W. W. Battershall, D. D., John H. Van Antwerp, Dudley Olcott, Abraham Lansing, Dr. Albert Vander Veer, James F. Tracey and James Fenimore Cooper. Bishop Doane, chairman; Dean Sage, treasurer; James Fenimore Cooper, secretary.

Committee on jails and station houses.—Robert C. Pruyn, chairman; Dr. Vander Veer, Matthew Hale, Townsend Lansing, Grange Sard.

Committee on penitentiary.—Dean Sage, chairman; James F. Tracey, Dudley Olcott.

Executive committee.—Bishop Doane, Dean Sage, James Fenimore Cooper, Robert C. Pruyn.

ALLEGANY COUNTY.

To be appointed under the new rules.

BROOME COUNTY.

Residence, Binghamton.—Dr. John G. Orton, B. N. Loomis, E. K. Clark, D. H. Carver, J. W. Manier, Charles Wilkinson, Julius Rogers, Dr. F. W. Putnam, Dr. J. H. Chittenden, H. M. Beecher, C. R. Williams, E. C. Tichener, J. H. La Roche, Dr. Charles G. Wagner, Dr. Wm. A. White, J. Porter Parsons.

CATTARAUGUS COUNTY.

To be reorganized.

CAYUGA COUNTY.

Residence, Auburn.—Frank W. Richardson, Dr. W. S. Cheeseman, Mrs. Charlotte C. Bates, Mrs. Miles Perry, Mrs. John W. Haight.

Residence, Union Springs.—Mrs. Mary H. Thomas.

Residence, Weedsport.—Homer Rheubottom.

Residence, Aurora.—Lansing Zabriskie.

ESSEX COUNTY.

Residence, Elizabethtown.—Francis A. Smith, Richard L. Hand, Abijah Perry, Robert W. Livingston.

FRANKLIN COUNTY.

Residence, Malone.—F. T. Heath, Hon. John L. Gilbert, J. P. Badger, Newcomb H. Munsill, Julius C. Saunders, Martin E. McClary, Charles Ferry, Frederick G. Paddock, Charles L. Hubbard, Henry A. Miller, Rev. J. W. Ashworth, Rev. Charles S. Richardson, Rev. W. G. W. Lewis, Rev. I. D. Peaslee.

FULTON COUNTY.

Residence, Gloversville.—Dr. Eugene Beach.

GENESEE COUNTY.

Residence, Batavia.—Professor Gardner Fuller, Hon. J. R. Holmes, Rev. J. H. Durkee.

GREENE COUNTY.

Residence, Catskill.—Hon. Emory A. Chase, Hon. John H. Bagley, Hon. James B. Olney, Hon. Sylvester B. Sage, Gen. Wm. S. O. Wiley, S. Grosvenor Austin, Mrs. Benjamin Wey, Mrs. Harriet Penfield.

Residence, Greenville.—P. McCabe, M. D.

Residence, Coxsackie.—Hon. Platt Coonley.

HAMILTON COUNTY.

Residence, Wells.—G. B. Morrison.

Residence, Sageville.—William H. Fry.

HERKIMER COUNTY.

Residence, Herkimer.—O. H. Deck, M. D.

JEFFERSON COUNTY.

Residence Watertown.—Rev. Richard G. Keyes, Jesse M. Adams, John C. Knowlton.

ONEIDA COUNTY.

Residence, Utica.—Col. Theodore P. Cook, Hon. P. J. Bulger, Wm. Blakie, Rev. T. J. Brown, D. D., Rev. J. Frank Leland, Rev. Dr. Lynch, Mrs. Francis W. Roberts, Mrs. W. G. Bussey, Dr. Smith Barker, Geo. Curran, Rev. Jas. D. Colby.

Residence, Whitesboro.—Mrs. Martha L. Whitcher.

Residence, Clinton.—Rev. E. P. Powell.

Residence, Rome.—Hon. R. C. Briggs, Mrs. W. J. Kingsley.

ONONDAGA COUNTY.

Residence, Syracuse.—G. L. Bonta, Hon. W. H. H. Gere, Timothy Hough, M. W. Hanchett, Dr. E. E. Van DeWalker, A. L. Merrick.

ONTARIO COUNTY.

Residence, Canandaigua.—Mrs. Collins Hart, Hon. James C. Smith.

Residence, Geneva.—T. C. Maxwell, Arthur P. Pease.

ORANGE COUNTY.

Residence, Newburg.—John L. Sloat, Charles Estabrook, Col. C. H. Weygant, Joseph Van Cleft, Dr. R. V. K. Montfort, Uriah Traphagen, Miriam Lozier.

Residence, Goshen.—Dr. J. H. Thompson, Rev. Floyd A. Crane, George H. Mills.

Residence, Middletown.—Hon. J. D. Friend, Hon. J. G. Wilkin.

ORLEANS COUNTY.

Residence, Albion.—Daniel W. Frye, U. C. Rogers, Eldridge Chester, J. W. Hart, Arthur Eddy, J. W. Barnett, Frank Morgan, George Clark, B. F. Kitridge, S. W. Smith.

OSWEGO COUNTY.

Residence, Oswego.—George C. McWhorter, Gilbert Mollison, J. A. Place, Chas. H. Butler, John T. Mott, Henry H. Lyman, Rev. Lewis Halsey, D. D., S. S. Sherman, S. M. Coon.

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APPENDIX.

CHARTER OF THE PRISON ASSOCIATION OF NEW YORK.

AN ACT to incorporate the Prison Association of New York,
Passed May 3, 1846, by a two-thirds vote.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall not be legally considered a body corporate, by the name of "The Prison Association of New York," and by that name have the power that by the third article of the single ninth chapter of the first part of the Revised Statutes heretofore enacted in relation to every corporation and shall be capable of purchasing, holding and conveying any estate real or personal, for the use of said corporation, provided that such real estate shall never exceed the yearly value of one hundred dollars and be applied to any other purpose than those for which the corporation is formed.

§ 2. The seal and records of said corporation shall be kept open and conducted in the executive committee or otherwise to the satisfaction of the said corporation and the following articles that now form the constitution of the association shall continue to be the constitution and the governing charter of the same, in addition to the laws heretofore passed.

ARTICLE I.

The objects of the association shall be

1. The improvement of the condition of prisoners confined in the State and County Prisons and the promotion of their moral and intellectual improvement.

2. The improvement of penal institutions and the government of the same.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a

Life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceeding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the prisons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage to such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDINER,
President.

*See section 24.

STATE OF NEW YORK:

IN ASSEMBLY, *April 24, 1846.*

This bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof,

Resolved, That the bill do pass.

By order of the Assembly,

A. C. CRAIN,
Speaker.

APPROVED, this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW YORK,
SECRETARY'S OFFICE.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.*. It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such reports as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

*See section 20 in last revision.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

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1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts, and a committee on prison discipline.

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VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts, and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, *ex officio*, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

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FIFTY-FIFTH ANNUAL REPORT

OF THE

Prison Association of New York.

For the Year 1899.

TRANSMITTED TO THE LEGISLATURE MARCH 6, 1900.

ALBANY:

JAMES B. LYON, STATE PRINTER.

THE 2-11 OF ANNUAL REPORT

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STATE OF NEW YORK.

No. 32.

IN SENATE,

MARCH 6, 1900.

FIFTY-FIFTH ANNUAL REPORT

OF THE

Prison Association of New York For Year 1899.

PRISON ASSOCIATION OF NEW YORK,
No. 135 EAST FIFTEENTH STREET, NEW YORK CITY. }

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OTSEGO COUNTY.

Residence, Cooperstown.—G. P. Keese, Dr. W. T. Bassett, Mrs. J. Warren Lamb, Robert I. MacBride.

PUTNAM COUNTY.

Residence Carmel.—James R. Weeks, Jas. A. Zickler, Rev. H. B. Warring, Miss Ida M. Blake, G. E. Reed.

QUEENS COUNTY.

Residence, Great Neck.—John Keese.

Residence, Hempstead.—Valentine Clowes.

Residence, Westbury.—Benjamin D. Hicks, Mrs. James Willets.

Residence, Astoria.—Rev. Washington Rodman, Miss E. H. Rodman, Dr. J. D. Trask.

RENSSELAER COUNTY.

To be appointed under new rules.

RICHMOND COUNTY.

Residence, New Brighton.—A. B. Boardman, John H. Pool, R. B. Whittemore, Oswald N. Cammann, Ed. M. Miller, Miss H. Ilner, Mrs. J. K. West, Mrs. Wm. Davidge.

Residence, West New Brighton.—Rev. Pascal P. Harrower, L. F. Whitin, F. O. Boyd.

Residence, Richmond.—Dr. J. S. Millspaugh, T. W. Fitzgerald, Capt. A. G. Hall, Miss Louise Moore.

Residence, Clifton.—David Marsh, Miss Ripley.

Residence, Grimes Hill, Tompkinsville.—A. D. Irving.

ROCKLAND COUNTY.

Residence, Haverstraw.—Alonzo Wheeler.

Residence, Tomkin's Cove.—Walter T. Searing, Mrs. Laura Wood.

SARATOGA COUNTY.

To be appointed.

SENECA COUNTY.

Residence, Waterloo.—Hon. S. G. Hadley, Dr. S. R. Wells, Solomon Carman.

Residence, Seneca Falls.—Charles A. Hawley.

SCHOHARIE COUNTY.

To be appointed.

SCHENECTADY COUNTY.

Residence, Schenectady.—Hon. W. T. L. Sanders, S. B. Howe, 615 Union street; C. E. Kingsbury, 311 State street;

SCHUYLER COUNTY.

Residence, Watkins.—Frederick Davis, Dr. M. L. Bennett, Rev. L. F. Reef.

ST. LAWRENCE COUNTY.

Residence, Canton.—Dr. J. C. Preston, G. B. Manley, Lawrence Russell, Charles Y. Fullington, Prof. H. B. Forbes, Mrs. Laura A. Partridge.

Residence, Ogdensburg.—Prof. R. G. Pettibone, Daniel Magone, Rev. L. Merrill Miller, Rev. J. Bastow, W. L. Proctor, J. W. Wilson, Gates Curtis.

Residence, Potsdam.—E. W. Foster, L. E. Wadleigh, Rev. George Harkness, Rev. C. E. Bascom, O. E. Bonney, John A. Vance.

STEUBEN COUNTY.

Residence, Bath.—Z. L. Parker.

Residence, Corning.—F. A. Williams.

SUFFOLK COUNTY.

Residence, Riverhead.—John Z. O'Brien, T. M. Griffing, Rev. Samuel Whaley, Nat. W. Foster.

Residence, Greensport.—Wm. J. White.

SULLIVAN COUNTY.

To be appointed.

TIOGA COUNTY.

Residence, Owego.—Hon. William Smyth, A. Abel, V. N. Russell,
H. D. Pinney, William H. Ellis, P. C. Peterson.

TOMPKINS COUNTY.

Residence, Ithaca.—Prof. James Law, Prof. William D. Wilson,
Orange P. Hyde, Hon. Murray E. Poole.

ULSTER COUNTY.

Residence, Kingston.—S. B. Forsyth, Frances Schufeldt, Mrs.
J. R. Stebbins, J. M. Cross, F. A. Westbrook, Henry Van
Howenburgh, M. D., J. A. Merritt, Hon. Isaiah Fuller, Charles
F. Cantine, Mrs. H. C. Soop, Hon. James G. Lindsley.

Residence, Saugerties.—W. R. Sheffield.

WARREN COUNTY.

Residence, Lake George.—R. E. Archibald, Francis G. Crosby,
Elias S. Harris, Dr. W. R. Adamson.

WASHINGTON COUNTY.

Residence, Salem.—James Blashford, C. R. Hawley.

WAYNE COUNTY.

Residence, Lyons.—John L. Cole, Rev. L. H. Sherwood, Rev. R.
Osgood Morse, Wm. C. Robinson.

Residence, Palmyra.—Isaac C. Bronson, Dr. Samuel Ingraham,
A. S. Niles, Mrs. Horace Eaton, George G. Jessup.

Residence, Arcadia.—Rev. Park Burgess.

Residence, Walworth.—Hon. Lucien T. Youmans.

WESTCHESTER COUNTY.

Residence, Yonkers.—Rev. J. M. Bruce, Rev. W. E. Ketchum.

26 ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

WYOMING COUNTY.

**Residence, Warsaw.—Rev. George D. Miller, E. A. Miller, Rev.
W. H. Hobbs.**

YATES COUNTY.

Residence, Penn Yan.—Joseph F. Crosby, William F. Van Tuyl.

uggestions for Local Co-operative County Committees of the Prison Association of New York.

1. Committees are expected to organize within one month after their appointment, meeting at the call of one of their number to be designated by the corresponding secretary of the association, and to elect a chairman, secretary and treasurer.
2. Committees are expected to have stated meetings at least semi-annually, and to keep the corresponding secretary informed of the date of such regular meeting; should any special meeting be held it is requested that notice of the same be given to the general office.
3. Local committees are expected to inspect at least twice a year the jails station-houses, prisons and penitentiaries in their respective counties, and to take cognizance of and report at this time as to the discipline, maintenance, moral and sanitary condition, and to promptly notify the corresponding secretary at proper times of any failure on the part of the local authorities to comply with the laws as to the governance and keeping of prisoners, should such failure come to their knowledge. They are further expected to make such suggestions, from time to time, which will help the association to carry out the purposes for which it was organized.
4. They are, at the stated meetings, requested to give full discussion to any plans of the Prison Association that may be submitted to them by the executive committee, to estimate as far as possible the feeling of their respective neighborhoods regarding any such plans, and to help the association's work by creating a

right public sentiment as to the prison discipline and the criminal class.

5. They are requested to collect and forward to the office of the Prison Association such printed reports of local institutions as are obtainable, and such extracts from local publications as bear upon penological matters.

6. They are expected, by sub-committees, to see that suitable moral and religious instruction is provided in the jails, to collect and distribute reading matter to prisoners, to investigate complaints of ill-usage, to report to this office the cases of such as seem unjustly accused, or badly treated.

7. It is the purpose of the Prison Association to hold an average of at least one public meeting within each two years in every county of the State, and the local committees are expected to secure the co-operation of clergymen and others in making arrangements for such a meeting.

8. It is most urgently requested that each county committee do its utmost to increase the membership of the association, and aid in extending its influence.

9. Committees are requested to send annually to the association a list of the names of the prominent citizens of their respective counties, to whom the reports and miscellaneous documents of the association may be sent.

10. It is the policy of the Prison Association, and has been from its organization, to secure reforms and the correction of abuses—so far as it can be done—through the co-operation of officials. The local committees are, therefore, so far as they represent the association, expected to cultivate relations of mutual helpfulness with sheriffs and jailers, and to aid them in every way possible in the promotion of right discipline in the county institutions.

11. Local committees can greatly aid the general agent of the society by reporting to the office of the association the names of any in their respective neighborhoods who are willing to employ discharged convicts who give satisfactory evidence of a desire to reform. They are also requested to furnish the names of those who employ skilled or unskilled labor, in order that direct communication may be made with them from this office.

12. They are urged to secure as large a local observance as possible of Prison Sunday (the last Sunday in October), and to send printed reports of such observance to this office for filing.

13. Through sub-committees to give such counsel and help as they are able to prisoners discharged from the local correctional and penal institutions.

These suggestions are printed here, not only for the benefit of the local committees themselves, but to indicate to others the special forms of helpfulness which they render in carrying on the work of the association. Through them it reaches into every county in the State as a vital and ever-present force.

In making up the annual report (to November 1st of each year), it is desirable that the reports of county committees be sent in as early as November 15th, and in order to facilitate filing, it is requested that they be written on foolscap paper, and on one side of the sheet only.

Committees will confer a favor by notifying the undersigned at once of any changes in their organization.

Without wishing to dictate as to the time for the stated meetings of local committees, the corresponding secretary would beg leave to suggest that these meetings be held early in October and May.

AN ANNUAL MESSAGE OF THE PRISON ASSOCIATION OF NEW YORK

We especially hope that during the coming year you will secure the introduction of some systematic labor into your county jails.

We have undertaken to collect a library for every county jail in the State, where the county authorities or our own committees will guarantee that the books will be properly cared for. Will you confer with your county authorities in this matter? A bookcase must be provided and someone designated who will take care of the library.

W. M. F. ROUND,

Cor. Sec. P. A., N. Y.

Treasurer's Account for the Year Ending October 31, 1899.

Dr.

| | |
|--|-------------------------------|
| Donations | \$4,304 22 |
| New York State Reformatory | 1,200 00 |
| Rents | 562 00 |
| Board of estimate and apportionment | 300 00 |
| Balance in Mechanics' National Bank, October 31,
1898 | 290 53 |
| | <hr/> \$6,656 75 <hr/> |

Cr.

| | |
|---|-------------------------------|
| Expenses in New York city for discharged convicts
and persons under arrest | \$3,066 44 |
| Expenses of State organization, prison and jail inspec-
tion and county work | 2,982 13 |
| Taxes and water rent on 135 East Fifteenth street | 282 91 |
| Interest on \$4,000 mortgage on 135 East Fifteenth
street | 200 00 |
| Balance in Mechanics' National Bank, October 31,
1899 | 125 27 |
| | <hr/> \$6,656 75 <hr/> |

CORNELIUS B. GOLD,
Treasurer.

1

We hereby certify that we have examined the accounts and vouchers of Cornelius B. Gold, treasurer, and find them correct.

EUGENE SMITH.

SAMUEL MACAULAY JACKSON.

Auditing Committee.

DONATIONS.

| | |
|---|--------|
| Mrs. S. W. Bonsall..... | \$5 00 |
| J. B. C., In memoriam..... | 10 00 |
| Thomas H. O'Connor..... | 25 00 |
| M. Ruttenan | 1 00 |
| Rev. Lyman Cobb, Jr..... | 5 00 |
| Charles T. Cook..... | 25 00 |
| Wm. Iselan & Co..... | 10 00 |
| John R. Planten..... | 10 00 |
| Jacob H. Schiff..... | 25 00 |
| F. R. Condert..... | 5 00 |
| S. G. Bogert..... | 10 00 |
| *Mrs. M. L. Ewen..... | 10 00 |
| James Rufus Smith..... | 10 00 |
| John Sinclair | 10 00 |
| Mrs. Helen L. Deas..... | 5 00 |
| Mrs. A. Miller..... | 10 00 |
| Mrs. Chas. Phelps..... | 10 00 |
| Otto M. Eidlitz..... | 10 00 |
| Schieffelin & Co..... | 10 00 |
| Rev. D. Stuart Dodge..... | 25 00 |
| Mrs. John Wolfe..... | 10 00 |
| Robert A. Pinkerton..... | 10 00 |
| Presbyterian church, Carmel, N. Y., Union meeting
collection | 11 47 |

| | |
|-----------------------------------|---------|
| Miss L. E. Ludington | \$10 00 |
| James G. Goodwin..... | 25 00 |
| Louis B. McCagg..... | 10 00 |
| Mrs. M. A. Callender..... | 50 |
| "From a friend"..... | 25 00 |
| Alice Keteltas | 25 00 |
| Mrs. John Beekman..... | 5 00 |
| John H. Bloodgood..... | 10 00 |
| Andrew C. Zabriskie | 50 00 |
| Mrs. S. O. Van der Poel..... | 5 00 |
| Elbridge T. Gerry..... | 25 00 |
| Mrs. Joseph W. Harper..... | 5 00 |
| D. H. McAlpin & Co..... | 25 00 |
| Miss Serena Rhinelande..... | 200 00 |
| "A friend" | 10 00 |
| Mrs. Wm. H. Macy..... | 10 00 |
| William Colgate | 25 00 |
| Miss S. C. Mason..... | 2 00 |
| Wm. Allen Butler..... | 25 00 |
| Z. R. Brockway..... | 10 00 |
| Mrs. John W. Minturn..... | 10 00 |
| Alfred DeWitt | 10 00 |
| Gen. Thomas H. Hubbard..... | 20 00 |
| Wm. C. Lobenstine..... | 10 00 |
| Cook and Bernheimer Co., The..... | 5 00 |
| Charles T. Root..... | 5 00 |
| Dr. Benjamin Lord..... | 10 00 |
| Rev. Morgan Dix..... | 10 00 |
| M. Bayard Brown..... | 250 00 |
| John Seely Ward, Jr..... | 100 00 |

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|--|---------|
| Mrs. F. Spencer Witherbee..... | \$15 00 |
| Mrs. M. E. Zimmerman..... | 10 00 |
| H. J. Haendle..... | 5 00 |
| John S. Kennedy..... | 100 00 |
| Anonymous | 5 00 |
| Ferris J. Meigs..... | 5 00 |
| Adrian Iselin | 100 00 |
| Mrs. Thatcher M. Adams..... | 5 00 |
| A. A. Weeks..... | 25 00 |
| Mrs. A. E. Breese..... | 10 00 |
| Mrs. Wm. M. Polk..... | 5 00 |
| John W. Thomson..... | 10 00 |
| O. D. Munn..... | 5 00 |
| Mrs. Jennie Turner Powers..... | 5 00 |
| Egerton L. Winthrop..... | 25 00 |
| Mrs. Charles Kellogg..... | 10 00 |
| Thomas Thacher | 10 00 |
| • Miss Josephine Penfold..... | 10 00 |
| Perkins, Goodwin & Co..... | 5 00 |
| Mrs. M. N. Perkins..... | 10 00 |
| Francis Louis Slade..... | 5 00 |
| Wm. R. Stewart..... | 10 00 |
| Samuel M. Jackson..... | 20 00 |
| Henry Holt | 10 00 |
| J. H. Righter..... | 10 00 |
| "Anonymous" by "Christian Advocate"..... | 100 00 |
| Miss E. S. Van Winkle..... | 5 00 |
| Miss A. L. Merriam..... | 5 00 |
| Wm. D. Ellis..... | 5 00 |
| "A friend" | 25 00 |

PRISON ASSOCIATION OF NEW YORK,

35

| | |
|------------------------------|---------|
| Mrs. H. V. Parsell..... | \$10 00 |
| Very Rev. E. A. Hoffman..... | 10 00 |
| C. M. Goodridge | 10 00 |
| Mrs. Henry Draper..... | 10 00 |
| John T. Lockman..... | 10 00 |
| Bernheimer & Schmid..... | 10 00 |
| *Hon. Chas. P. Daly..... | 10 00 |
| Mrs. W. A. Cauldwell..... | 5 00 |
| Daniel P. Morse..... | 10 00 |
| C. H. Dodge..... | 25 00 |
| George M. Coit..... | 10 00 |
| Henry Hildburgh | 10 00 |
| H. J. Hayden..... | 25 00 |
| Woodbury G. Langdon..... | 10 00 |
| American Leather Co..... | 5 00 |
| Mrs. Edwin Parsons..... | 5 00 |
| Mrs. Titus B. Meigs..... | 5 00 |
| Hon. Abram S. Hewitt..... | 5 00 |
| E. N. Lawrence..... | 25 00 |
| Mrs. Elizabeth Lynes..... | 10 00 |
| Dr. George G. Wheelock..... | 10 00 |
| Thomas G. Shearman..... | 10 00 |
| Rev. Wendell Prine..... | 50 00 |
| Anna C. Clinch..... | 10 00 |
| Samuel T. Carter..... | 10 00 |
| Johnston Livingston | 10 00 |
| Mrs. W. H. Jackson..... | 10 00 |
| J. V. V. B..... | 5 00 |
| A. R. Flower | 25 00 |
| Mrs. W. Y. Mortimer..... | 50 00 |

*Deceased.

| | |
|-----------------------------|--------|
| Gino C. Speranza | \$5 00 |
| Vermilye & Co..... | 10 00 |
| Mrs. Scott Foster..... | 10 00 |
| W. Wheeler Smith..... | 10 00 |
| H. C. Fisher..... | 10 00 |
| Charles A. Munn..... | 5 00 |
| E. P. Dutton..... | 10 00 |
| Mrs. William E. Dodge..... | 10 00 |
| M. L. Delafield..... | 5 00 |
| Mrs. Leopold Stern..... | 2 00 |
| James H. Benedict..... | 10 00 |
| Henry Villard | 10 00 |
| Charles Dana | 5 00 |
| Mrs. Henry Dormitzer..... | 10 00 |
| B. Beineke | 10 00 |
| Samuel M. Hyde..... | 10 00 |
| George Blumenthal | 15 00 |
| The Spool Cotton Co..... | 10 00 |
| Dr. E. B. Foote..... | 2 00 |
| James Kyle & Sons..... | 5 00 |
| Mrs. Robert M. Maxwell..... | 10 00 |
| John Greenough | 10 00 |
| Clarence M. Hyde..... | 100 00 |
| B. M. Hartshorne..... | 25 00 |
| *William W. L. Voorhis..... | 5 00 |
| Mrs. W. H. Osborn..... | 10 00 |
| Mrs. S. E. Mason..... | 2 00 |
| Mrs. T. Garner..... | 10 00 |
| E. F. Browning | 10 00 |
| *Augustin Daly | 10 00 |

*Deceased.

| | |
|-------------------------------------|--------|
| Mrs. Henry Talmadge | \$5 00 |
| Mrs. Jesse Seligman | 5 00 |
| Robert Jaffray | 10 00 |
| Miss L. L. Schuyler | 5 00 |
| Anson Phelps Stokes | 20 00 |
| Hon. Addison Brown | 5 00 |
| Hon. John Clinton Gray | 10 00 |
| Holbrook Manufacturing Co. | 25 00 |
| Rev. John C. Bliss | 5 00 |
| Miss Julia L. Delafield | 10 00 |
| Mrs. Geo. Forrest Butterworth | 5 00 |
| Hon. Wm. M. Evarts..... | 10 00 |
| Mrs. M. M. Lanier | 25 00 |
| Middleton & Co. | 10 00 |
| Mrs. James A. Edgar..... | 10 00 |
| Knauth, Nachod & Kuhne | 10 00 |
| John Burling Lawrence..... | 10 00 |
| A. Van Santvoord | 10 00 |
| Geo. L. Rives..... | 10 00 |
| William Wicke | 10 00 |
| Isabella Jex | 5 00 |
| G. W. Plunkitt..... | 10 00 |
| The Century Co..... | 10 00 |
| Mrs. Elliott F. Shepard..... | 25 00 |
| Mrs. Byam K. Stevens..... | 5 00 |
| H. Herrman Sternbach..... | 10 00 |
| Frank Dean | 10 00 |
| Frederick Uhlmann | 10 00 |
| Mrs. Joseph Milbank..... | 50 00 |
| Mrs. G. Schwab..... | 10 00 |

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|-------------------------------|---------|
| Miss Annie Stone..... | \$10 00 |
| "S. E. W."..... | 100 00 |
| Hon. Seth Low..... | 10 00 |
| R. D. Douglass..... | 10 00 |
| R. H. L. Townsend..... | 10 00 |
| Mrs. J. Henry Whitehouse..... | 5 00 |
| James O. Sheldon..... | 5 00 |
| James M. Constable..... | 10 00 |
| Franklin B. Lord..... | 10 00 |
| Chas. J. Coulter..... | 10 00 |
| Mrs. N. E. Baylies..... | 10 00 |
| Dr. J. McE. Wetmore..... | 10 00 |
| Robert S. Holt..... | 10 00 |
| Henry G. Marquand..... | 5 00 |
| Mrs. F. MacLaren..... | 25 00 |
| Dr. Henry Tuck..... | 5 00 |
| Mrs. Nicholas Fish..... | 5 00 |
| Mrs. H. O'Neill..... | 10 00 |
| Rev. Lyman Abbott..... | 5 00 |
| Henry Millard, Jr..... | 5 00 |
| Mrs. Wm. N. Crane..... | 5 00 |
| John B. Ireland..... | 10 00 |
| Frederick G. Swan..... | 10 00 |
| Samuel Riker | 10 00 |
| Mrs. W. S. Opdyke..... | 5 00 |
| Oscar E. Ballin..... | 5 00 |
| Dodge & Olcott..... | 10 00 |
| Mrs. E. H. VanIngen..... | 10 00 |
| Lanman & Kemp..... | 5 00 |
| F. C. Moore..... | 5 00 |

| | |
|---|---------|
| E. Parsons..... | \$10 00 |
| Morgan..... | 10 00 |
| Openhym & Sons..... | 10 00 |
| al Brennan | 10 00 |
| Burden 2nd..... | 10 00 |
| renville Winthrop..... | 25 00 |
| l M. Jackson..... | 14 00 |
| . T. Alexandre..... | 10 00 |
| isses Eastman, through Geo. S. Pratt..... | 5 00 |
| H. O'Connor..... | 25 00 |
| K. Jesup..... | 50 00 |
| Olyphant..... | 10 00 |
| L. D. Auchincloss..... | 25 00 |
| ohn J. Cox..... | 10 00 |
| M. Speers..... | 10 00 |
| riam Wheeler..... | 10 00 |
| ves Washburn..... | 5 00 |
| & Co..... | 10 00 |
| Mathews | 5 00 |
| lff | 10 00 |
| Jacobi..... | 10 00 |
| Hoffman..... | 10 00 |
| llen Collins..... | 15 00 |
| H. Raymond..... | 25 00 |
| . B. Whitlock..... | 5 00 |
| eo. De F. Lord..... | 10 00 |
| . Blair Scribner..... | 20 00 |
| f. Hampden Robb..... | 20 00 |
| lster Herrman..... | 10 00 |
| dward N. Crosby..... | 5 00 |

| | |
|------------------------------------|---------|
| Mrs. W. H. Bradford, Sr..... | \$20 00 |
| Walter S. Kemeys..... | 10 00 |
| Mrs. Frederick Billings..... | 25 00 |
| Robert L. Maitland..... | 10 00 |
| Wm. E. Dodge..... | 25 00 |
| Rev. Wendell Prime..... | 50 00 |
| Wm. Alexander Smith..... | 10 00 |
| Cornelius B. Gold..... | 50 00 |
| Mrs. Edwin Parsons..... | 10 00 |
| Miss L. Hanson..... | 10 00 |
| "J. B. M."..... | 5 00 |
| E. G. Milliken..... | 10 00 |
| Mrs. Nannie Cahn..... | 5 00 |
| Joseph Stickney | 10 00 |
| Samuel D. Babcock..... | 10 00 |
| Miss M. W. Henderson..... | 5 00 |
| Mrs. H. D. Aldrich..... | 10 00 |
| Robert W. de Forest..... | 10 00 |
| Thomas N. North..... | 10 00 |
| E. C. Bogert..... | 100 00 |
| Samuel Thorne | 10 00 |
| Charlton T. Lewis (specified)..... | 50 00 |
| Samuel P. Avery..... | 10 00 |
| Miss Susan B. Spring..... | 1 00 |
| J. Jennings McComb..... | 25 00 |
| J. Henry Alexandre..... | 5 00 |
| Mrs. Chas. W. Ogden..... | 10 00 |
| Mrs. Mary F. Payson..... | 10 00 |
| John G. Floyd..... | 10 00 |
| Wm. G. Low..... | 20 00 |

| | |
|----------------------------|---------|
| Arnold Constable & Co..... | \$25 00 |
| Mrs. Robert Hoe..... | 10 00 |
| John E. Roberts..... | 10 00 |
| Thos. H. O'Connor..... | 25 00 |
| Miss Cora Small..... | 3 00 |
| Noah C. Rogers..... | 5 00 |
| "G. W. W."..... | 25 00 |
| Anon | 25 |
| George G. Williams..... | 20 00 |

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OTHER DONATIONS.

Mrs. Crouch, shoes.

Mrs. A. Stephane, reading matter.

Mrs. Schuethers, reading matter.

Anonymous, reading matter.

Mrs. H. V. R. Kennedy, clothing.

H. F. Hadden, clothing.

Eben Snyder, reading matter.

Rev. Dr. Howes, clothing.

Hospital Book and Newspaper Society, reading matter.

Mrs. C. R. Lowey, reading matter.

Mrs. Wilson, clothing.

Mrs. Vanderpoel, clothing and shaving materials.

National Biscuit Co., crackers.

Mrs. Foster, clothing.

Miss A. Stafford, reading matter.

Thomas H. O'Connor, clothing and reading matter.

H. B. Tompkins, clothing.

Mrs. Foster, men's clothing.

Mrs. Jefferson Engel, reading matter and clothing.

O. W. Tall, reading matter.

F. Hillhouse, clothing.

Miss Levin, books and.

Miss V. L. Bayl, reading matter.

E. G. Bogert, clothing.

Mrs. A. F. Baker, reading matter.

J. Corbin, underwear.

Mrs. L. Fisher, clothing.

American Bakery, soda crackers.

Mrs. Alfred Ray, clothing.

Mrs. C. E. Hunt, reading matter.

Miss Margaret Westcott, reading matter.

Col. E. S. Webb, clothing.

Anonymous, clothing.

E. B. Archibald, magazines.

Mrs. John H. Jacquelin, clothing and useful articles.

Mrs. W. Stanton, clothing and reading matter.

Wythrop Hallenbeck Crawford Co., circulars.

Anonymous, reading matter.

Theodore L. De Vries & Co., circulars.

Anonymous, reading matter.

Miss Kendall, reading matter.

The Sherman Williams Co., paint.

Loak Bros., paint.

Mrs. William H. Price, reading matter.

Cornelius B. Gold, clothing.

Funk & Wagnalls Co., books.

E. P. Sutton Co., books.

The Century Co., magazines.

- D. O'Loughlin, books.
- Mrs. M. W. Sewall, magazines.
- Mrs. Oppenheimer.
- American Book Co., books.
- E. F. Crane, reading matter.
- Miss L. Thompson, shirts and reading matter.
- Mrs. Perry, reading matter.
- Mrs. E. B. Parmell, clothing and reading matter.
- Miss Insler, clothing and reading matter.
- A. Alexander, clothing.
- A friend, clothing.
- Friend, clothing.
- J. Newton Perkins, underclothing.
- 140 West 92nd street, reading matter.
- Mrs. Alfred Ray, shoes, collars, cuffs, hats.
- Mrs. W. Mehlop, newspapers.
- Alfred M. Chapman, clothing.
- Mrs. A. Wolf, magazines.
- Miss Helen Sands, clothing, dishes, picture frame, trunk.
- Mrs. Wetmore, reading matter.
- Miss C. Spelman, shirts, reading matter.
- A. Miller, magazines.
- T. M. North, drawers, shirts, shoes, cuffs, hat, ties, etc.
- Miss K. S. Martin, reading matter.
- Mrs. Townsend, pants, socks, caps, shirts, ties, handkerchiefs, braces.
- Mrs. G. Crouch, hat, shoes, rubbers, shirts, and other clothing.
- Mrs. J. H. Emerson, men and women's clothing.
- Mrs. G. W. Nash, shoes and clothing.
- Mrs. Jos. Hensheer, reading matter.

Mrs. Tobis, clothing.
J. M. B., clothing.
Mrs. F. B. Clark, clothing.
Mrs. F. C. Buck, clothing.
Mrs. Eugene Meyer, reading matter.
Central Baptist Church, New York, reading matter.
Mrs. J. Rhodes, reading matter.
Mrs. Lawson, women's clothing.
Alfred Schnidler, clothing.
Mrs. D. Mayer, clothing.
Mrs. E. M. Gillies, reading matter.
R. M. Scott, clothing.
Mrs. Jefferson Hogan, clothing.
H. Seib, clothing.
Miss Sayre, clothing.
J. Fred. Paulsen, women's clothing.
C. T. Root, clothing.
Mrs. A. O. Allen, women's clothing.
Mrs. Benjamin D. Sake, magazines.
Mrs. M. E. Zeigler, reading matter.
M. Blanche Bosworth, reading matter.
Mrs. J. D. Laurence, reading matter.
Mrs. J. Rhodes, books.
Dr. Alexander, clothing.
37 West 20th street, shoes and other clothing.
Mrs. T. H. O'Connor, women's clothing.
S. L. Benson, clothing, linen.
C. J. Dacey, shoes, other clothing.
W. F. Brush, clothing.
Mrs. Machen, clothing.

- Mrs. Nicholas Fish, shirts and underclothes.
 E. B. Frink, clothing.
 Dr. John McE. Wetmore, shoes and clothing.
 Mrs. Van Glahn, clothing.
 John H. Sattig, clothing.
 G. W. Dillingham Co., books.
 Mrs. E. B. Parmell, reading matter.
 Mrs. Howard Clarkson, reading matter.
 Mrs. H. F. Hudson, collars and shirts.
 Mrs. Sturges, reading matter.
 Mrs. Curtis, reading matter.
 Mrs. F. A. Hitchcock, reading matter.
 James Hague, clothing.
 Mrs. Esther Herrman, clothing and reading matter.
 Henriques, magazines.
 Mrs. Henriques, magazines.
 Mrs. Dean, reading matter and shoes.
 David Lydig, clothing.
 Mrs. E. Strauss, magazines.
 Mrs. Norton, reading matter.
 Henry Villard, clothing.
 Reamee & Turner, coffee.
 Mrs. E. Strauss, underclothing.
 J. M. Graves, clothing.
 Chas. M. Loomis, underclothing.
 124 West 57th street, reading matter.
 F. A. Hitchcock, reading matter.
 J. E. Serre, clothing and magazines.
 Mrs. M. D. McKillop, reading matter.
 S. T. Emerson, clothing.

C. W. Canfield, clothing.
Mrs. H. J. Nerms, magazines.
F. H. Gibbens, magazines.
Andrew C. Zabriskie, clothing.
Hospital Book & Newspaper Society, reading matter.
Chemical Mission House, magazines.
Mrs. S. Greenwald, magazines.
Mrs. Fuller, reading matter and clothing.
Mrs. J. H. Jacqueline, clothing.
Rev. Dr. Howes, clothing.
Mrs. Alfred Ray, clothing.
Mrs. Fisher, clothing.
Mrs. J. H. Whitehouse, books.
Mrs. McCoskry Butt, reading matter.
Mrs. Nicholas Fish, shoes and shirts.
Mrs. C. Lichtenstein, reading matter.
Miss Chandler, magazines.
Mrs. Perry, reading matter.
Mrs. Herrman, clothing.
Mr. Ecclesteem, magazines.
Mrs. Pyle, books.
Miss L. Thomson, reading matter, clothing.
D. F. Tiemann & Co., 50 pounds white lead.
The B. A. Goodrich Co., 1 pound rubber bands.
Longman & Martinez, 5 gallons white paint.
J. B. Jasper, reading matter.
Mrs. John A. Vanderpoel, clothing.
S. Stafford & Co., ink.
T. M. North, reading matter, clothing.
Smith Brith & Co., coffee.

The Berlin Jones Envelope Co., envelopes.

Mrs. Noyers, reading matter.

Mrs. I. S. Mack, reading matter.

Geo. A. Bellote, bread and rolls.

Mrs. John H. Jaquelin, clothing and bedding.

Miss Josephine Oakes, women's clothing.

Mrs. Esther Hermann, clothing and reading matter.

Miss M. P. Robinson, reading matter.

New York Condensed Milk Co., one case condensed milk.

Dr. Sayre, clothing.

Mrs. A. Miller, reading matter.

A Friend, reading matter.

Mrs. G. A. Fuller, clothing and reading matter.

J. Corbit, clothes.

Frederick A. Stokes Co., books.

Mrs. J. A. Merrill, reading matter.

Mrs. Pyle, reading matter.

Anonymous, clothing.

T. A. O'Connor, clothing.

F. G. Swan, clothing and reading matter.

Miss Kendall, reading matter.

Harpers, table and reading matter.

Dr. H. Tuck, clothing.

F. F. Rowland, clothing.

Miss Graydon, reading matter.

C. M. Davison, reading matter.

Mrs. Larrinore, clothing and reading matter.

E. St. John Hays, clothing.

Mrs. E. Herrman, clothing and reading matter.

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B. S. Beuthned, clothing.

Needlework Guild of America, clothing.

Dudley, Battelle & Hurd, clothing.

Dodd, Mead & Co., books.

Rohe & Bro., one week's lunch.

933 Madison avenue, reading matter.

Anonymous, food, clothing.

Anonymous, clothing.

H. B. Thompson, clothing.

Mrs. G. A. Morrison, clothing.

Mrs. Fisher, men and women's clothing.

Anonymous, reading matter and money.

Mrs. E. Herrman, clothing.

Mrs. Howson, clothing and reading matter.

Anonymous, coat.

Mrs. S. C. Stuart, clothing (men and women's).

arter of the Prison Association of New York.

ACT to incorporate the Prison Association of New York.

PASSED, May 9, 1846, by a two-thirds vote.

*he People of the State of New York, represented in Senate and
embly, do enact as follows:*

ection 1. All such persons as are now or hereafter shall be
e members to the said association, pursuant to the consti-
tion thereof, shall and are hereby constituted a body corporate,
y the name of "The Prison Association of New York," and by
hat name have the powers that, by the third title of the eigh-
eenth chapter of the first part of the Revised Statutes, are de-
clared to belong to every corporation; and shall be capable of
urchasing, holding and conveying any estate, real or personal,
or the use of said corporation; provided that such real estate
hall never exceed the yearly value of ten thousand dollars, nor
e applied to any other purpose than those for which the corpo-
ation is formed.

§ 2. The estate and concerns of said corporation shall be man-
aged and conducted by its executive committee, in conformity
o the constitution of the said corporation, and the following
rticles that now form the constitution of the association shall
ontinue to be the fundamental laws and constitution thereof,
subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The advancement of the science and practice of medicine, whether de-
termined to be in the domain of the physical or of the mental sciences.
2. The improvement of the medical education and the government
of persons who have received medical education.
3. The support and encouragement of good conduct and good services after
their discharge, and of those who are engaged in obtaining an
honorable livelihood, and who are engaged in their efforts at reform.

ARTICLE II.

The officers of the association shall be a president, a vice-president,
a corresponding secretary, a recording secretary, a treasurer and
an executive committee. There shall be the following standing
committees: the committee on medical education, the committee on detention,
the committee on medical education of the committee on discharged
convicts. The number of the executive committee shall consist
of not more than thirty-one, and not more than ten shall be
officers of the society and not more than twenty-five shall be
persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be *ex officio*
members of the executive committee, who shall choose one of
their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and
keep regular minutes of their proceedings. They shall have a
general superintendence and direction of the affairs of the so-
ciety, and shall annually report to the society all their proceed-
ings, and such other matters as shall be likely to advance the
ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents, shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall constitute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and em-

ployment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage to such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are in-

vested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, *May 8, 1846.*

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate.

A. GARDINER,
President.

STATE OF NEW YORK:

IN ASSEMBLY, *April 24, 1846.*

This bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof,

Resolved, That the bill do pass.

By order of the Assembly,

A. C. CRAIN,
Speaker.

APPROVED, this 9th day of May, 1846. -

SILAS WRIGHT.

*See section

STATE OF NEW YORK,
SECRETARY'S OFFICE,

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such reports as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

* See section 20 in last revision.

By-Laws of the Prison Association of New York.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts, and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.
2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.
3. To audit and report upon the treasurer's accounts annually.
4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.
2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, ex officio, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

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cient length to inculcate habits of labor and a knowledge of some trade or occupation. With a view to the promotion of this end, the Prison Association will presently call a conference, to be composed of representatives of other associations, police authorities, of the judiciary and of railroad officials. It is hoped that great good may come from this movement.

The report of the committee on detentions and discharged convicts, and the very important report of the special committee appointed to examine the prisons of the State under the authority of the Supreme Court, will be found in their places elsewhere.

The attention of the patrons of the Association and of all good citizens of the State is called particularly to the latter report.

Report of Corresponding Secretary on English Prisons.

The Executive Committee of the Prison Association of New York:

Gentlemen.—Let me thank you for the generous leave of absence you have granted me, and though it has been to me a time of great personal anxiety, I still have something to report as to the work and interests of the Association.

Arriving in Liverpool I found awaiting me the most generous offers from the Home Office opening freely to me all the prisons of Great Britain and waiving all the ordinary restrictions of visitation.

While in Liverpool I had a long interview with one of the principal workers in the Discharged Prisoners' Aid Society, who told me that they had great difficulty in finding work in Liverpool for discharged prisoners because they knew no trade—that on account of the maritime surroundings they were exceptionally situated, and did find places for many as seamen.

In Birmingham I visited with our correspondent, Mr. Alfred H., the large prison at Winson Green and found there a most intelligent governor in Admiral Tinkler, who discussed freely the difficulties under which they were placed as to labor, the conditions being much the same as at Walton. He also deplored the fact that young boys were sent to them, and begged that I would do all that I could to make the reformatory system of New York,

or its results, known in England, and to urge the adoption of similar measures there. He freely criticized the dietary forced upon them by the Home Department—a hard and fast dietary (of which you have a copy). All classes of prisoners and men in all occupations fed alike, unless some change was ordered by the doctor. Such a dietary in New York State would raise a mob in the prisons and a howl in the newspapers. Admiral Tinkler has made suggestions to the Home Office, many of which will be acted upon.

With Mr. Hill I also visited the Gem Street Reformatory.

Before I left England I saw the draft for a new dietary, and discussed it with the prison authorities; we shall presently have it in the Blue Books, and you will see there is a great improvement.

I visited the prison in Warwick, which is under the same labor conditions as the others. Lord Leigh, the lord lieutenant of the county, has taken the deepest interest in this prison, and it is admirably conducted. He is also president of the Discharged Prisoners' Aid Society. His letters of introduction have been of the greatest interest and aid to me.

Incidentally I visited the old prison under the Shire Hall, a photograph of which was given me and which I have placed in our collection at the office. This was one of the prisons described by John Howard. The hall-keeper wrote me out a little sketch of the prison, which I will insert here, but which you will hardly like to read. It is as follows:

“William Densbury was one of the Eleven Friends arrested at Warwick in 1661 for giving thanks after supper at an Inn which was called preaching at a conventicle. After some time of confinement in gaol, they were brought before a justice who,

their refusing to swear, sent them to prison under sentences *praemunire*. Some of them were never brought to any further trial, and were detained for ten years; William Densbury, however, was liberated after a short imprisonment on this occasion, only to be thrust again into Newgate and York gaols and return to Warwick (in 1663) for 19 years of prison life.

For four years he was a close prisoner and was probably acquainted with the underground dungeon in which, at the time, many Friends were suffering.

‘Ninety-nine,’ says Besse, “were put together in this dark, close hole or dungeon underground, where they had not room to lie down one by another. Human decency was set at naught, drinking water flowed through a gutter in the floor into the cesspool in the center. The stench became exceedingly oppressive, by which and from want of necessities, which were not permitted to be brought to them, several of their healths were much injured and the harmless sufferers for conscience sake, were compelled to herd with the vilest felons or distinguished from them only by special cruelties inflicted upon them.”

More than a century later John Howard visited this gaol.

From Warwick to Oxford, where I visited the prison—it is a small prison in the Old Castle. At Oxford an arrangement was made by which I had the pleasure of meeting and talking to many members of the Discharged Prisoners’ Aid Society.

While in London I had several interviews with Mr. E. Ruggles-leslie, who, though he seemed rather indifferent to our reformatory system when here, has put into his report for the International Prison Congress at Brussels next year, many recommendations based upon what he saw. Upon that report the parliamentary bill for a British adult reformatory will be based. Mr.

In visiting the district prisons in England and a number of the courts, I was surprised to find that there had been a return to birching for young offenders—ordered by the magistrates and inflicted by the police. The birching consists of a good whipping with a bunch of birch rods administered on the bare body. It is not administered to those beyond the age and appearance of childhood. It is administered in private, and in the presence of parents when they are at hand, and of proper officers when parents are not at hand. The young British "tough," who could boast of having been locked up in jail, and would be a hero among his companions for having been a "jailbird" does not feel like boasting of a birching on his bare body. He shuns the contamination and stigma of the prison, and such youngsters as are birched rarely come into the hands of the police again. I am not quite prepared to ask you to advocate the birching of young delinquents in this country, but I shall presently have a body of evidence to lay before you that will certainly be worth your consideration.

One of the things that I promised myself and you to do while abroad was to study the English methods of effective relief to charged prisoners. This I have done most carefully, and find that while we have something to learn from England, methods in vogue there would not be effective here owing to different conditions of life and an entirely different class of criminals. The British criminal is not so clever, or, rather, not so smart as the American criminal, and if he wishes to reform, needs more help, and that it should be administered with a firmer hand, a closer relation to the state and the authorities. At the same time I can but feel that a large part of the effective work of the Discharged Prisoners' Aid

Societies of England is due to the fact that they do receive a large recognition from the state, and that our work would be better if we were in closer touch with the officials and there was a legal recognition of some relationship between the prisoners and the Prison Association. I have already in a previous report described the work of the St. Giles Mission, where an ex-convict stands a chance of getting his allowance from the state doubled if he has been guided in his affairs by the officials of the society and is recommended by them. I also noted the excellent results of the Prison Gate Missions agents at the door of the prison to receive prisoners on their release and to advise and help them.

I made many inquiries as to the school for training prison officers at Chelmsford and spent the day of April 11th there. The prison at Chelmsford has 150 prisoners, and 45 men are in training there for service as prison officers. They are received between the ages of 24 and 40, after passing a civil service examination and a special examination by the governor. I have the full details of this school, but it is not necessary to say more than that there are lectures on prison discipline, hygiene, prison diet, first aid to the injured, etc.; that each group serves at various stations in the prisons—gate keepers, warders, commissary, record keeping, etc.; that the highest physical conditions and moral character are insisted on. It is a singular condition of a popular idea that they do not find here that petty officers from the military or naval service make good students; they are too much institutionalized in another direction.

It may interest the committee that while at Birmingham I made a visit to Walsall and brought away much interesting material regarding the life of Sister Dora Pattison, including

portraits, pamphlets, etc. I have also secured a number of books for our library, including Field's "State of the Prisons," a book even rarer than Howard's book of the same name. I also have the prospect of obtaining a complete set of the "Transactions of the British Social Science Association," which, as you know, contains much of penological interest.

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SINGAPORE

Jail Libraries.

By supplying books and magazines for convicts the Prison Association not only evinces its interest in that unhappy class, but uses what it believes to be a potent instrumentality for the reformation of its members.

It has been found that isolation from the world in a prison makes eager readers of those who else would never have opened a book. It is almost the sole means of bringing back to the convict glimpses of the outside world and of the life in it which he has forfeited for a longer or shorter period. It is one of the rare means which comes to the prisoners of being entertained and of forgetting for a time his incarceration and disgrace. And finding what a relief the perusal of books brings him, the convict comes to care more and more for them. The access which printed matter thus gains to the mind of the convict creates an opportunity to do him good which can scarcely be exaggerated. Imprisonment itself, in many cases, puts the mind in a susceptible state, and books hold the possibility of making new impressions which may change the whole current of the convict's thinking and feeling and completely reform him. Aware of what benefit may be accomplished through this medium, the Prison Association has long endeavored to take advantage of it. Unfortu-

tions, and not only to inspire substantial hopes and good
ses, but to point out the best ways of realizing them.

STATE OF NEW YORK,

OFFICE OF J. WARREN MEAD,

AGENT AND WARDEN OF AUBURN PRISON.

r Sir.—Replying to your letter of the —th ult., would say
three boxes and three barrels and one case of reading matter
been received by us and placed in charge of the Chaplain.

Yours very truly,

J. WARREN MEAD,

Agent and Warden.

liam Cas Baker, sheriff of Queens county, writes:

will be very glad to furnish a bookcase and give the dis-
tion and collection of books our closest attention.

W. Mayo, Superintendent of the Burnham Industrial Farm,

is:

ir package came duly to hand and I wish to thank you very
for the contents.

l. N. O. Fanning, Deputy Commissioner of the Department
rection, New York city, writes

dear Sir.—Please express to the Prison Association my

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thanks for the reading matter contributed to the institutions of this department as referred to in your note of the 1st. inst.

The magazines, etc. have been received and are appreciated highly by the prisoners.

A worker in the "Tombs" writes:

The prisoners here fairly went wild when I distributed the reading matter last Sunday. Send some more.

Inspections.

KINGS COUNTY PENITENTIARY.

visited by the corresponding secretary and Dr. J. G. Phelps-
res of the executive committee.

There were 383 prisoners. They are classed as short term pris-
ers, 127; long term prisoners, 234; and women 22. There are
infants, one brought with the mother, the other born in the
pen.

In the absence of the warden the inspection was made under
guidance of Mr. Jones, the deputy, and keepers deputed by

The approach to the prison and the enclosure within the
pen have been much improved since the last inspection, and
much more tidily kept. A high wall has been built between
yards assigned to male and female prisoners; formerly the
prisoners were kept apart by keepers; there was an opportunity of
evade and possible communication and recognition from
part of the grounds to another.

The long term prison was first inspected, and there was almost
total absence of prison smell, but a lack of that scrupulous
order and cleanliness that should characterize such an institu-
tion. The prison was fairly, but not faultlessly, clean.

The old canvas cots were being removed and replaced by
iron-wire cots made in the institution. The prison was by no
means full, and we were glad to see that there was no "doubling
in the cells.

The women's prison was being completely overhauled and painted. The women were all engaged in laundry work about the halls. There seemed to be a somewhat lax discipline in the women's prison, the inmates freely commenting in undertones to each other on the visitors.

We visited the shops and found but one shop where there was idleness; that was the shop where brooms are made for the street cleaning department; the men were waiting for a supply of the iron backs of these brooms. They had a morose and discontented look, in strong contrast with those busily employed in the shoe shop above. There were in this broom shop mostly short term prisoners. It is a noticeable fact very strikingly brought out here that the long term prisoners were of a better class in intelligence than those who came for short terms. They were younger, on an average, more alert and we were informed were better prisoners.

The printing office was visited, and excellent printing was being done there. The tailor shop was turning out good work, making up State made cloth into decent clothes for outgoing prisoners as well as all the clothing for the inmates. The knitting of stockings and underclothing by machinery is also carried on here.

The kitchen was clean, and all the supplies examined were of excellent quality—in fact, of too high a grade, the keeper naively remarking that many a working man was not so well fed as the prisoners in this prison. A copy of the dietary was obtained and will be found (dietary B) in another part of this report. It is curious to compare it with the dietary of the English prisons.

A new bath room has been constructed in the prison; show baths can be given to forty prisoners at one time, and prisoners are required to bathe once a week.

There is an entire absence of prison pallor or "putty skins" in the prison, and men look far better now than in the last twenty years.

The water-closets are of a primitive character—not very clean, but sufficiently flushed to keep them free from odor. Stained glass windows have been put into the chapel. There is a Sunday service for Protestants and one for Catholics, and a prayer meeting on Tuesdays for the women prisoners. There is no prison hospital.

Among the 127 short term prisoners there were 100 vagrants, the rest coming from the following counties: Westchester, 62; Dutchess, 13; Richmond, 1; Putnam, 5; Suffolk, 1; Rockland, 1, and the balance from Kings county. Considering the overcrowded condition of Raymond street jail (see report on that institution) it seems that the authorities have not found it to serve their interests to avail themselves of the general law, and send habitual criminals and "drunks" to the penitentiaries. We would suggest that the permissive conditions of the said law be made mandatory.

CATHOLIC PROTECTORY.

Visited and inspected July 27th by the corresponding secretary, accompanied by Dr. J. G. Phelps Stokes and Mr. Anthony Delahanty, of the Laurel Industrial School of Virginia.

This institution has been so fully described in previous reports, the conditions are so little changed that but few words are necessary as to a report on this inspection. Since the last inspection the industries have been very much improved; the equipment of the workshops is excellent. They are conducted on the "piece-price" plan and the output is most satisfactory. The industries are: shoemaking, harness making, brush making, sew-

ing hooks and eyes on cards and printing. The printing office is turning out most excellent work, in which the boys employed take a deep interest.

Additional playgrounds have been provided and a new chapel and hall have been completed. They are simple in their ornamentation. Both are handsome rooms, well adapted for the purpose for which they are intended.

No uniform is used here, but the boys are required to wear knee breeches, on the ground that they are more tidy and that they furnish for the big boys a simple means for identification in any attempt to escape.

The dietary is simple, and there is every evidence that the boys are well fed and well kept. It will be hard to find a more robust set of lads anywhere. The manual training schools, drawing classes, etc., have greatly improved, as has the general curriculum.

A large part of the success of this institution and the economies of its management are due to the unpaid labors of the Christian Brothers, some 80 in number, and the intelligent direction that has guided them. There has been a ready acceptance of all new methods in the management and discipline. Corporal punishment is seldom resorted to, and the surveillance is of the closest and most constant character. About 80 per cent. of the boys are committed to the Protectory by the courts. A careful observation shows that all the provisions of the State law as to the care of juvenile delinquents have been observed.

HOUSE OF REFUGE FOR WOMEN—HUDSON.

Visited by the Corresponding Secretary July 11, 1899.

This institution, so far as the plant and system of discipline are concerned, has been fully described in previous reports. It

of certain charges made by the comptroller, by an officer of the State Board of Charities and by the newspapers, attention is given to the economies of the place and to its methods of punishment, escapes, etc.

There were 273 inmates and 10 infants in the institution. There were 52 employees—35 women and 17 men. This is rather more than one employee to every five inmates—a very large proportion until it is remembered that this is an educational and reformatory institution rather than a prison; that there are no high or unscalable fences, and that in an excess of sentimentality the wire nettings have been removed from many of the windows; that the buildings are numerous and at considerable distance from each other. In view of these facts it is rather strange that there have not been a larger number of escapes and that the inmates can be kept and kept in order by the staff of employees now on the pay-roll. The salaries amount in all to \$86.33, not a large sum for the care of nearly 300 inmates.

All women employees all have sustenance in addition, but all men live outside the prison, which, of course, necessitates higher salaries than if they were on the internal staff. It must further be taken into account that in addition to the care of the inmates, keeping them properly clothed, fed and in order, running the buildings tidy and the grounds in decent shape, there are also trade classes. There is a graded sewing school, a school of dressmaking, of cooking, this being also a school of domestic science, a laundry class, a night school in the prison. For new arrivals, three day schools of three classes in the cotton with 30 or 40 in each. There is instruction in music. The schools follow the grammar school curriculum laid down by the Board of Public Instruction.

The highest paid officer, with the exception of the superintendent, is the steward, Mr. Schermerhorn. He receives \$1,800 a year and maintenance—not a high salary considering his large responsibility. I examined Mr. Schermerhorn at some length. I did not examine his accounts, though he freely offered to put them at my disposal, as corroboration of the information he gave me. He informed me that he bought supplies all over the State. I took the names of dealers of whom he bought and prices. They did not seem to be high, but I am instituting a series of comparisons. These dealers were not particularly confined to Hudson, as has been alleged. Mr. Schermerhorn's appointment was in no sense a political appointment. His clerk and stenographer were formerly inmates of the institution, which seems, on general principles, to be decidedly objectionable.

I made inquiries regarding the escape of two inmates. The locks on the doors are not adequate for protection, a fact that Mrs. Abbott had presented to the board of managers, who, on grounds of economy and acting under advice of the controller, refused to provide new locks. The escape from the building was made through the office window, from which the wire netting screen had been removed at the suggestion of members of the State Board of Charities.

I made special inquiry in regard to punishments. The severest form of punishment now in vogue is the dark solitary cell. It has not been used for a year. This is situated in the basement; connects with ventilating air shaft, a foot square, to the roof. Size of cell, 6 x 9 x 12.

There are also "the dungeon," cells of brick with hinged iron plate to cover windows. These are opened daily for ventilation. The most desperate cases only are put in these. How desperat

are may be in a manner indicated by the fact that a girl the strength of passionate frenzy dug out the bricks that rounded and set this iron casement and threw them out. She put in a straight jacket, which she immediately tore to pieces.

My examination of inmates of this institution has always shown me a very tough set to deal with. Women put in the punishment cells are visited three times daily by the matron frequently by the doctor. None of the dungeons or dark cells have been used within a year. In most cases isolation of girls in their own rooms has been found to be sufficient to attain the ends of discipline. While in the punishment cells inmates are carried bath water every morning, and are sometimes kept on short rations, i. e., having bread, tea or coffee and full meal daily. The short rations of this prison are fuller better than the full rations of the English convict prisons. In some cases there have been rations of bread and water, but never continued more than a day or two.

While under punishment care is taken to ascertain the effect on the alimentary canal and kidneys, and diet is immediately changed if a noticeable injurious effect has been produced. I made very particular inquiries as to the strap and its use. In three cases of its use were described to me. The strap is a piece of leather 3-16 of an inch in thickness, 1½ inches wide and six feet long, its edges rounded and one end shaped into a handle. In three cases described to me were for "smashing," that is a girl in frenzy of temper begins smashing everything at hand—down glass, panels of doors, crockery, furniture, anything breakable, all the time using the most profane and indecent language. The girl had been transferred from the reception or

prison department to a cottage life. Its easier life and greater respectability and better associations did not suit her, and she determined to get back to prison, and took to smashing for the accomplishment of her purpose. This was in the winter of '97. The strap was not used again till August, '98, when seven girls broke line and ran away, becoming riotous and were likely to throw the whole place into a state of insubordination. Four girls were strapped and then, nearly a year ago, the hose was used for the last time—Mrs. Abbott declaring that it should never again be used with her knowledge while she was superintendent of the place. In another case Dr. Cook advised the punishment.

This examination has been simply an inquiry; it, however, reveals no state of things which was not within the province of the Board of Charities and of the comptroller to remedy. Indeed none of the abuses alleged need have occurred if perfect supervision had been used.

The changes recommended are:

1. That no "inmate" officers be employed.
2. That wire screens be put on the lower windows of the administration buildings.
3. That all the dark corners of the park be brightly lighted with electric lights.
4. That an inner court be enclosed by screen wire-netting fences and gates at night.
5. That better locks be put on all doors.
6. That all stores be bought by a purchasing agent of the board of managers on a requisition from the superintendent, who should also have an emergency fund at her disposal for any pressing and unusual needs.

That there be no appointments made to the board of managers, except upon a distinct pledge that every meeting of the board shall be attended, unless imperative circumstances pre-

in your estimation there seems a need of further investigation.

I will ask the president to appoint two additional members to the executive committee to make it with me. It, however, would involve considerable expense and seems to me unnecessary.

I am,

Respectfully,

W. M. F. ROUND,

Corresponding Secretary.

DISTRICT PRISON, BOROUGH OF MANHATTAN.

Visited by Dr. J. G. Phelps Stokes and the Corresponding Secretary.

The description of this prison may be found in previous reports; changes have taken place, except that the cells in the upper floor have been scraped of their whitewash and are to be freshly painted. This is certainly an improvement. The two cells on the lower floor for the ten day men will soon be treated in the same way. The water closets had a decided odor of urine, and were not clean, nor was there any degree of neatness in the disposition of cleaning cloths, utensils, etc. One of the ten day cells was occupied by eleven men, who assailed the keeper and visitors with blasphemous and indecent language. These were very hard cases and two of them at least should have been kept in solitary cells, apart from the rest and each other. The Association recommends very heartily that a sufficient number of small cells be provided to keep men brought in for disorderly conduct, or sentenced for the same for ten days, in solitary confinement on a low diet during the time of their stay. If, how-

ever, they are recovering from a protracted spree, the diet, although simple, should be of the most nutritious quality. Elsewhere a recommendation will be made that every man sentenced for ten days, not only in the district prisons, but in county jails, shall be measured and recorded under the Bertillon System of Identification and that there be a cumulative sentence law, which can only be successfully operative when this system of identification is adopted. (The dietary "C" of this prison will be found under a sub-heading, "Dietaries," in this report.)

COUNTY JAILS.

The corresponding secretary has inspected as many of the county jails as his numerous duties would permit. The detail of such inspections and reports are given herewith.

The whole jail system is irreclaimably bad and should be abolished. Our county jails are but "Devil's Kindergartens," and the sooner they are abolished the better for society. An examination of the reports will show that in a few instances an attempt has been made to bring about some of the reforms advocated by the Prison Association and in just so many instances we confidently assume the financial burden of the taxpayers has been considerably diminished. The average sheriff knows nothing about classification of prisoners or the principles of prison reform, and even if he did, under the present political methods his term is too short to permit of his making any changes in the prevailing system.

ALLEGANY COUNTY.

Jail at Belmont. Location of jail, central. Sheriff a salaried officer. County boards its own prisoners, that is to say, sheriff moves into jail, buys all provisions for prisoners, as well as for his own family. Jail is 60 rods from railroad station, 48 miles from any other institution of its kind. Cost of building, \$15,000. Value of land on which jail was built, \$1,000. Value of furnishings, fittings, etc., \$500. Jail was built in 1894, and since that time the property has increased in value \$500. The operating expenses for a year is about \$1,000. Number of days' food furnished to inmates during year, 2,413. County furnishes support, which is about \$4,000 per annum. Number of prisoners serving sentence July 1, 1899, four. No labor performed by inmates. No employees, sheriff's family only. Number of cells, 14. Size of cells, 6 feet wide, 8 feet high and 7 feet 6 inches long. Method of ventilation, brick chimneys from floor to roof in corners of building with ventilators leading to outside from both floors. Method of heating, hot air. No religious service held. Number of tramps during year, eight. Three were received from Cuba and five from Wellsville. The sheriff is James R. Hodnett.

ALBANY COUNTY.

Jail at Albany, located one-fourth mile from railroad station, is eight miles from any other similar institution. The sheriff is a salaried officer, and all bills contracted for are paid from the city treasury. This jail is not used for prisoners under sentence, but the practice is to commit them for examination, and

then they are either discharged or sent to the penitentiary or held for a higher court. On March 1, 1897. Operating expenses for last year were \$4,285. Support of jail is derived from county tax. The employees are as follows: William Collogg, jailer; E. W. Pratt, undersheriff; T. L. & Hicks, clerk; John Weber, day watchman; John Newman, night watchman. Number of cells 40; size of cell 10 inches by 7 feet by 7 feet 2 inches. No ventilation except windows and doors. Method of heating stoves. Religious services are held in jail for both Protestants and Catholics. There is no library nor is any wanted.

The sheriff is Charles E. Southerdacker.

BROOMFIELD COUNTY.

Jail at Binghamton; location central, three-quarters of a mile from railroad depot and 22 miles from any other institution of its kind. Cost of building, about \$50,000. Land on which jail is built is valued at \$30,000. Value of permanent fixtures is \$1,000, and of furnishing, fittings, etc., \$1,000. Jail was built in 1896. Operating expenses for year was \$9,500. Number of days' board furnished to inmates was 11,000. Number of prisoners serving sentence on July 1, 1899, was 18. No labor is performed by inmates. County pays \$2.94 per week for board for inmates. There are three men and one woman employed in the jail for the care and attention of prisoners; the names are Loren W. Renner, A. M. Seaman, W. A. Wilcox and Florence Mason.

CATTARAUGUS COUNTY.

Jail at Little Valley is located in suburbs of village, about 100 rods from railroad depot and fifty miles from any other institution of its kind. Cost of building is about \$8,000; of permanent fixtures, \$200; of furnishings, fittings, etc., \$200, and of land on which jail is built, \$100. Jail was built in 1880. Ten thousand days' board was furnished during the last year. Number of prisoners serving sentence July 1, 1899, 23. County pays \$3.25 per week for board of prisoners. There are 33 cells in jail, size 4 feet by 7 feet by 7 feet. Method of ventilation is good, each cell having ventilator. Method of heating, stoves. Religious services are held in jail by the Rev. G. E. Henshaw. The sheriff is J. E. Hazard.

CAYUGA COUNTY.

Jail at Auburn, located in centre of town, one-half mile from railroad station and one-half mile from any other similar institution. Cost of building is about \$30,000. Land on which jail built is valued at \$3,000. Value of permanent fixtures, appliances, etc., \$2,000, and of furnishings and fittings, \$3,000. Jail was built in 1889. The property has increased about 50 per cent. in value. Operating expenses during last year were \$1,000. There was 12,775 days' board furnished during last year for inmates. The county and United States government supports this institution. There were 27 prisoners serving sentence July, 1899. No labor is performed by inmates. County pays \$100 for board. There are one man and one woman employed at the jail to look out for prisoners; they are George M. Hall and Henry Smith. Number of cells, 58. Size, 6 by 9 by 15 feet.

Ventilation is good, galvanized tubing being used. Method of heating is by steam. Religious services are held in jail by Salvation Army. Number of male prisoners, 25; female, two.

The sheriff is George S. Wood.

CHAUTAUQUA COUNTY.

Jail at Mayville, located in centre of town and half mile from railroad depot. The nearest institution of its kind is Jamestown lockup. Cost of building is about \$20,000; land, \$1,000; permanent fixtures, etc., \$250; value of furnishings, etc., \$100. A new part was added to this jail in 1895. The operating expenses for last year were about \$2,000. Sixty-five thousand days board was furnished during last year. Last appropriation for this institution was in 1898, \$2,000; and in 1895 \$1,500 was appropriated for repairs. Number of prisoners serving sentence July, 1899, 13. Prisoners are used in care of building and grounds and for regular labor on the stone pile. County pays \$3 per week board for prisoners. Number of cells, 32; size, 5 by 8 by 7 feet. Method of ventilation, tubes of cells connected with flue to roof. Method of heating, steam. There are no religious services held in this institution. Number of male prisoners, nine; female, four. Seven tramps have served sentences in this jail in the past year. Chautauqua sent four, Ellington one, and one and Westfield one.

CHEMUNG COUNTY.

Jail at Elmira; location, central, half mile from railroad station. Cost of building, \$18,000. Value of land on which building is placed, \$30,000. Value of permanent fixtures, etc., \$10,000; and fittings are valued at \$7,000. Jail was built between 1872 and 1874. Number of prisoners July, 1899, 17—men, 15; women, three. The county pays \$3 per week for the board of prisoners. Number of cells, 13; size, 6 by 10 by 8 feet, ventilated by skylights and windows and heated by steam. There are no religious services held in this institution. There were 111 tramps sentenced to this jail last year, viz: From the city, 75; from Elmira, two, and from Horseheads, 34. The turnkey is Peter Hamilton.

COLUMBIA COUNTY.

Jail at Hudson, one-quarter mile from railroad depot and five miles from any other similar institution—Greene county jail. Cost of building, \$20,000. Land on which jail is placed is valued at \$20,000. Jail was built in 1835. Operating expenses for year is about \$4,214. Number of days' board furnished during year, 7,547. Amount of last appropriation for this jail, \$3,170. There were eight prisoners serving sentence July, 1899. Number of cells, 15; size, width 44 inches, height 98 inches, length 92 inches. Jail is ventilated by windows and heated by steam. During the year 22 female prisoners and 982 male prisoners were sent there, including three who were under 16 years of age. Six hundred and twenty-four tramps have also been sentenced there, viz: From Hudson, 596; from Chatham, 13; from Kinderhook, 9; and from Claverack, 6.

The sheriff is John H. Jessup; jailor, Frank Shepard; watch and book, Thomas F. Hammon, and E. C. Getty, deputy sheriff.

From the Report of County Treasurer of Columbia County.

| Months 1897-1898. | Total cost. | Confinement of prisoners in jail. | | Average cost per day. Cents. |
|-------------------|------------------|-----------------------------------|---------|------------------------------|
| | | Day. | Hrs | |
| November | \$76 04 | 435 | 19 | 17.450 |
| December | 121 03 | 744 | 1 | 16.267 |
| January | 137 74 | 1,115 | 12 | 12.347 |
| February | 105 52 | 984 | 12 | 10.718 |
| March | 125 01 | 1,066 | 19 | 11.712 |
| April | 117 24 | 651 | 0 | 18.009 |
| May | 98 74 | 424 | 6 | 23.274 |
| June | 78 34 | 458 | 3 | 17.100 |
| July | 76 86 | 452 | 4 | 16.998 |
| August | 66 75 | 351 | 4 | 19.008 |
| September | 71 09 | 426 | 10 | 16.437 |
| October | 82 15 | 671 | 9 | 12.221 |
| | <hr/> \$1,156 51 | <hr/> 7,781 | <hr/> 3 | <hr/> 14.863 <hr/> <hr/> |

From the foregoing report it will be seen that the Shrievalty in Columbia county is a salaried office. The cost of feeding prisoners is, as will be seen, 14.863 cents per day. The average cost of feeding in penal institutions is between 11 and 12 cents, but for an institution of the size of the Columbia County Jail this is not too large a sum for sustenance.

All provisions are purchased on the requisitions of the sheriff monthly, and a report made to the county treasurer, the per capita cost of maintaining prisoners per diem being computed monthly and at the end of the county fiscal year, to wit, October 31, the average cost per diem during the year.

DELAWARE COUNTY.

Jail at Delhi; location center, 150 rods from railroad depot; cost of building, \$15,000; land, \$500. Value of permanent fixtures, \$300; value of furnishings, etc., \$200. Number of days board furnished during the year, 6,642. Number of prisoners July, 1899, four. Total number for year, 261 men and 4 women. Four tramps were sentenced to this institution during the past year, all from Delhi. Number of cells in jail, 15; size, 6 by 7½ by 8 feet. Steam heated. Religious services are conducted by Mrs. Wight. The county pays \$3 per week for board of inmates.

The sheriff is J. D. Lawrence.

DUTCHESS COUNTY.

Jail at Poughkeepsie, location central, half mile from railway station and 17 miles from any other institution of its kind. Cost of building, \$10,000; grounds, \$3,000; permanent fixtures, \$1,000; furnishings, etc., \$1,000. Jail was built in 1860. Number of days board furnished to inmates during year, 11,693. No labor except cleaning up, etc. Number of prisoners serving sentence in July 14, males 13, females 1. The county pays \$3.25 per week for their board. Number of cells, 24; size 5 by 12 by 10 feet. Method of ventilation, three large ventilators in roof. Method of heating, steam. Religious services are conducted by the Young Women's Christian Association. One hundred and thirteen tramps were sentenced to this jail in the past year.

The sheriff is M. Smith.

ERIE COUNTY.

Jail at Buffalo, half mile from railway station and one mile from any other institution of its kind. Cost of building about \$100,000. Value of land and permanent fixtures is estimated at \$179,880 and of the furnishings, etc., about \$10,000. Jail was built about 1877. Property has increased about 200 per cent. since then. Operating expenses for the last year was about \$22,715. Number of days' board furnished for inmates, 16,380. Very few people serve sentences in this jail, as they are simply placed in it to await trial. There are 109 cells in this jail, which measure 5 by 8 by 8 feet, are ventilated by windows and skylight and heated by steam. Regular religious services are conducted by all denominations. Prisoners are provided with the daily papers, journals, magazines and bibles and as the population of this jail is ever changing, no library is needed. In July there were 82 female prisoners and 993 male prisoners, 191 prisoners being under 16 years of age. Fifteen tramps have been sent here in the last year, all coming from this city.

The following people are the employees: W. Brennan, A. Lang, F. M. Weitz, J. McGivney, M. Ryan, W. Eigenbrod, D. McNamara, J. Mahaney, Frank Coyle, Thomas McShane, Sarah M. Halladay, Bina Erdman, Margaret Romance and Barbara Haberer.

The sheriff is Andrew Kilgallon.

ESSEX COUNTY.

Jail located in northeastern part of Elizabethtown, eight miles from railway station and 36 miles from any other institution of its kind. Cost of building \$4,000, land \$200, furnishings, etc.,

\$200. Jail was finished in 1880. Operating expenses during year were \$1,800. Number of days' board furnished to inmates during the year, 2,380, and county pays \$3 per week for board of each inmate. Number of prisoners in July 1899, six, all men. No labor performed by prisoners. Number of cells, nine, size, 5 feet 4 inches by 7 feet 6 inches by 10 feet 4 inches. Method of ventilation, windows, etc. Method of heating, old style stoves, burning wood. Two escapes have been effected during the past year by breaking doors. Three tramps have been sentenced to this jail in the past year.

The sheriff is Joseph Wright.

This jail is not even fit to be called a jail but they use it as such and manage to get along.

FRANKLIN COUNTY.

Jail at Malone, location center, one-fourth mile from railway station and 50 miles from any other institution of its kind. Cost of building \$32,000, land \$4,000, permanent fixtures, etc., \$1,000, and furnishings \$500. Built in 1892. Operating expenses during year, \$5,000. There were 11 prisoners serving sentence in July, all men. Number of cell, 16, size 8 feet by 8 feet by 8 feet, each cell having a ventilator. In winter they are heated by pipes having hot water in them. Religious services are held in jail by the Women's Christian Temperance Union. During the year 100 tramps were sentenced to this jail coming from all parts of the county.

The sheriff is E. A. Whitney.

GREENE COUNTY.

Jail at Catskill. Location, central. Half mile from railway station and five miles from any other institution of its kind. Value of buildings, \$5,000, land, \$2,000, furnishings, etc., \$500. Jail was built about 75 years ago. There were 1,900 days board furnished to inmates during 1899. Two prisoners were serving sentence in July, both being men. County pays sheriff, \$3.50 per week for board of prisoners. Number of cells, four; size, 16 feet by 12 feet by 16 feet; ventilated and heated in old style. Religious services are held in the jail by the Young Women's Christian Association. A library of 150 books belongs to this institution. 300 tramps served sentences in this jail during 1899.

The sheriff is George W. Holdridge.

HERKIMER COUNTY.

Located at Herkimer, central, 30 rods from railway station and 20 miles from any other institution of its kind. Cost of buildings, \$2,500, land, \$1,000, permanent fixtures, etc., \$200, and furnishings, \$1,000. Jail was built in 1831. Operating expenses for 1899, was \$500. Two prisoners serving sentence in July. 36 cells, size 5 feet by 8 feet by 9 feet. Method of ventilation, holes in wall and windows. Method of heating, stoves. Religious services are held every Sunday by the Young Men's Christian Association. Total number of prisoners, five, one escaped. Total number of tramps during year, four.

The sheriff is Z. Tarbell, and the deputy sheriff, is D. M. Holme.

JEFFERSON COUNTY.

Jail at Watertown. Half mile from railway station and quarter of a mile from the city hall. Cost of building, \$20,000, land, \$5,000, fixtures, \$2,000, furnishings, etc., \$100. Extensive repairs were made to the residence and jail lately. Number of days board furnished to inmates during year, 6,296. Sheriff is paid, three dollars per week for board of prisoners. Total number of prisoners, 234; male, 224; female, 10. Had one tramp during year, sent from Cape Vincent. No labor performed in jail. Number of cells, 18; size, 6 feet by 7½ feet by 8 feet. Each cell has ventilator to roof. Heated by steam. Regular religious services are conducted in jail.

The sheriff is S. B. Kellogg. Employees W. E. Saxe, Homer Cleveland and Mrs. Cleveland.

LIVINGSTON COUNTY.

Located in the western part of the village of Geneseo, half mile from railway station, and twenty miles from the county jail at Warsaw, Wyoming county. Cost of building \$16,000, land \$5,000, fixtures and furnishings, \$4,000. Jail was built in 1889. Operating expenses for last year were \$1,500. Number of days' board furnished to inmates during year, 3,194. No labor performed in prison. Number of prisoners serving sentences in July, 6. County pays 20 cents for each meal served to prisoners. Number of cells, 20, size, 8 by 8 by 8 feet. Ventilation very good, iron pipes from floor to roof, windows in skylights and walls. Heated by hot air furnace. Religious services are held by the local churches. During the year 260 men and one woman were sentenced to this jail; 72 tramps were sent here during

as follows: From Levonia 6, from Mt. Morris 11, from Meneseo 8, from Portage 34, from Dansville 1, from Sparta 3 and from Conesus 9.

The sheriff is William A. Miller, and George Newcomb, turn-y.

MADISON COUNTY.

Jail at Morrisville, location centre, two and a half miles from Milway station and about thirty miles from any other institution of its kind. Jail was built in 1872. No labor performed by inmates. Seven prisoners serving sentence in July. County pays \$2.75 per week for board of prisoners. Number of cells 12, size, by 8 by 8 feet. Method of ventilation, windows; heated by steam. Religious services are conducted every Sunday by the local clergy. There are no tramps kept in this jail, all being sent to the penitentiary.

The sheriff is A. B. Carpenter.

MONROE COUNTY.

Jail at Rochester, at railway station. There were in July, 12 men in the jail which is only used to detain the accused, all convicted prisoners being sent to the penitentiary. County pays \$2.75 per week for prisoners' board. Cost of building \$47,000, and, &c. \$20,000. Jail was built in 1885.

Tramps have been sentenced from the following towns: Rochester, 56; Brighton, 13; Pittsford, 2; Charlotte, 1; Penfield, 5; Yates, 1.

The sheriff is John U. Schroth and Chas. H. Bailey is under sheriff.

ve tramps have been sent to this jail in the past year, 75 per cent. coming from Niagara Falls and North Tonawanda.

Since January 1, 1897, the sheriff's office has been operated under the salary system. The sheriff makes all purchases and all bills are audited monthly by the chairman of the board of supervisors. Sheriff's salary, \$2,000; under sheriff, \$1,000; criminal deputy, \$75.50 per month; turnkey, \$800 per year; jailor, \$400 per year; clerk, \$15 per week; janitor, \$50 per month; cook, \$10 per month.

ONONDAGA COUNTY.

Jail at Syracuse one mile from railway station and directly connected with the penitentiary, from which institution support derived. There were 14 awaiting trial. No modern ventilators but heated by steam. In the penitentiary there are 236 cells, size, four by seven by seven feet. Religious services are conducted in that building by the Rev. J. B. Foote, who is the jail chaplain. The sheriff is Stephen Thornton.

ONTARIO COUNTY.

Jail at Canandigua, an excellent jail located in about the center of the city ten rods from railway station and about thirty miles from any other institution of its kind. Cost of building \$40,000. Cost of furnishings and fixtures, \$3,500. Jail was built in 1895. Eleven thousand nine hundred and fifty-six days' board was furnished in the past year. County pays \$2.25 per week for board for inmates. Number of cells, 32; size, 7 by 8 by 9 feet, well ventilated and heated by steam. No religious services are conducted in this institution, but it has a library furnished by this association. Seventeen prisoners in July, one being a woman. The sheriff is George A. Peel.

ad. Cost of building, \$2,700; land, \$2,000; fixtures and furnishings, \$3,000. Jail was built in 1887. Number of days' board furnished to inmates last year, 43,800. Number of prisoners in July th, 22 men and 8 women. Number of cells, 27. There were o escapes effected by sawing out. Religious services are conducted by the Rev. Dr. Mead.

The sheriff is William H. Enos.

OTSEGO COUNTY.

Jail at Cooperstown, west part of Main street near railway station. Cost of building, \$25,000; land, \$4,000; fixtures, \$500; furnishings, etc., \$250. Jail was built in 1875. The operating expenses during year were \$600. Number of days board furnished to inmates, 2,300. County pays \$3 per week for board prisoners. No labor performed in jail. Number of prisoners July, 7, all being men. Number of cells, 16, size 8 by 8 by 10 ft, well ventilated and heated. No religious services held in l. Have a small library of about 50 books. Thirty tramps ved sentences in this jail last year.

The sheriff is C. N. Merrill.

PUTNAM COUNTY.

Jail at Carmel, one-half mile from railway station and 25 miles from any other institution of its kind. Cost of building, \$15,000; land, \$3,000; permanent fixtures, \$100. Jail was built in 1860 and rebuilt in 1893. Number of days' board furnished to inmates during year, 7,325. County pays \$3 per week for board or prisoners. Last appropriation was \$2,500. Five prisoners a jail in July; all men. Number of cells, 9; size, 6 feet 6 inches

RICHMOND COUNTY.

Richmond County Jail is now within the Greater City, and it comprises five wards, one, two, three, four, five. Its distance from a railway station is about one mile—from the Rapid Transit railroad station. There are no other similar institutions. Approximate cost of the building, about \$20,000, and approximate value of appliances, etc., \$1,000. The approximate value of furnishings, fittings, etc., about \$8,000. The jail is attached to the county courthouse, and the jail annex was built in the year 1860. The appropriations run from January to January. The board of estimate and apportionment of the city of New York has granted \$100,000 for the year 1898. The total number of prisoners confined during the year 1898 was 785. The total number of days sentenced, 11,987. Average number during the year, 33. Number of days' board furnished to inmates during the year from January 1st to December 31st, 12,045. The source from which support is derived is from the city of New York. The number of prisoners serving sentence on July 1st was 25. There is no labor performed by inmates, except cleaning of the jail. The cost per prisoner for each year was \$0.278, and that includes the fuel for furnishing of the court house. The names of the employees George Mouenlein, cook; Thomas Banning, jailer, and John Drury, Edward Brice and Edward Morrison, guards, making total of five. Number of cells, 28. Size, width 5 feet 6 inches, height 8 feet 6 inches, length 8 feet 5 inches. Method of ventilation—ventilators in center of each cell 4 by 8 inches, and windows round the jail. The method of heating is by stoves. Religious services are held in the jail by the Christian Endeavor.

SARATOGA COUNTY.

Jail at Ballston; location, about south of centre, near railroad station. Cost of building, \$40,000; land, \$10,000; fixtures, 00; furnishings, etc., \$1,000. Built in 1889. Number of days' board furnished to inmates, 28,360. County pays 43 cents per day for board and care of prisoners. This jail is very much like one in Rockland county, only in this one there are "no tramps committed," all being committed as "vagrants," of which there were 270. Number of prisoners, 48, of whom six are women. One escape, who ran away from stoneyard. Religious services are conducted by the Women's Christian Temperance Union.

SCHOHARIE COUNTY.

Jail at Schoharie; location about central, three-quarters of a mile from railway station and thirty-six miles from any other institution of its kind. Cost of building, about \$6,000; land, 100; fixtures and furnishings, \$250. Jail was built in 1846. The property has increased in value about \$4,000 since then. Operating expenses during the last fiscal year, \$1,200. Number of days' board furnished to prisoners last year, 1,513. County pays \$3.50 per week for board of prisoners. No labor performed in this jail. Last appropriation was \$5,000. Number of cells, 10; size, 5 feet 6 inches by 7 feet 7 feet; heated by steam, windows being used as ventilators. Only two prisoners in jail in July. No library. No religious services. One hundred and twenty-six tramps served sentences.

The sheriff is Walter Ferris.

Jail at Bath; location about central; quarter of a mile from railway station. General condition of jail good, clean and well lighted and ventilated. Heated by steam. Cost of building, \$33,000; land, \$2,000; furnishings and fixtures, \$2,000. Built in 1882. Labor, breaking stone for roads. Number of cells, 10 double and 9 single; size of double cells, 8 feet square and 8 feet high; size of single cells, 8 by 4. Religious services are conducted by the local churches. Number of prisoners, 31; one being a woman. One hundred and twenty tramps were sentenced to this jail in the past year.

The sheriff is James Fancett.

ST. LAWRENCE COUNTY.

Jail at Canton; location about centre; half mile from railway station. Cost of building, \$22,000; land, \$1,000; fixtures, \$7,000. and furnishings, \$800. Built in 1898. Property has increased \$20,000 in value since. Number of days' board furnished to prisoners during last year, 12,784. County pays \$3 per week for board of prisoners, who are worked on the road, that being the only labor performed for the institution. Number of cells, 28; size, 5 feet by 8 feet 6 inches by 8 feet, well ventilated and heated by steam. Religious services are conducted by the local churches and the W. C. T. U. Library of fifty books. Thirty-nine prisoners served sentences during last year, two being women. There were four escapes; prisoners ran away while working on the road. Only 78 tramps were sentenced to this jail in the last year. It would seem that the work on the road discourages the tramp element from staying in that community.

The sheriff is Chas. C. Caldwell.

SENECA COUNTY.

Jail at Waterloo, location about centre. Four thousand six hundred days' board was furnished to prisoners during year. County pays \$2.94 per week for board for prisoners. Eighty-three tramps served sentences during last year. Two escapes. Escape was effected by prisoners running out of door. Number of cells, 14; size, 4 by 8 by 8 feet. Heating and ventilating, old style. Local clergymen hold religious services in the jail. Have no library, and none is wanted, so the sheriff says, whose name is A. C. Clark.

SCHENECTADY COUNTY.

Jail at Schenectady, location about central, 500 yards from railway station. This is a new jail having been built last year at a cost of \$35,000, has as yet not been visited by the Association. Seven thousand eight hundred days' board was furnished to prisoners last year. County pays \$3.50 per week for board of prisoners. No labor. Number of cells 50; size, 5 by 8 by 7 feet well ventilated and well lighted. Heated by steam. Number of prisoners 19, one being under 16 years of age.

The sheriff is W. G. Caw.

SCHUYLER COUNTY.

Jail at Watkins, location about southwest, three-fourths of a mile from railway station and 22 miles from any other institution of its kind. Cost of building, \$3,000; land, \$1,500; fixtures, \$500 and furnishing \$200. Jail was built in 1856. Operating expenses during year were \$2,800. County pays 12½ cents per day for tramps and 15 cents per day for all other prisoners. No labor.

, 5 by 8 by 7 feet, heated by steam. Religious services are conducted.

The sheriff is S. J. McKenney.

ULSTER COUNTY.

Jail at Kingston, location about northwest, one mile from railway station and 18 miles from Poughkeepsie. Cost of building out \$30,000, land \$2,000 and fixtures about \$1,000. Jail was built in 1818. Operating expenses for last year were \$3,500. Number of days' board furnished 9,000. County pays \$3.50 per week for prisoners' board. No labor. Number of cells 20, size, 12 by 10 feet, steam heat. Religious services are conducted by Salvation Army and W. C. T. U. Number of prisoners, 36, one being a woman. One escape during year, effected by tearing up floor.

WASHINGTON COUNTY.

Jail at Salem, location about central, three-eighths of a mile from railway station. Cost of building, \$50,000; land, \$3,000; fixtures, \$4,000; furnishings, \$4,000. Jail was rebuilt in 1892. Number of days' board furnished, 9,800. County pays \$1.67 per week for board for prisoners. Last appropriation was \$8,500. Labor performed, breaking stone. Number of cells, 38; size, 7 by 6 feet 6 inches by 7 feet, well ventilated and heated by steam. Once in a while someone conducts religious services in this jail. Two escapes, both were recaptured. Number of prisoners, 15. Twenty per cent. of all prisoners during the year were tramps. The sheriff is J. M. Hulett.

UNITED STATES PENITENTIARIES.

The following memorandum has been furnished the Association by Major Frank Strong, general agent of the Department of Justice at Washington, D. C.:

At present the penitentiaries under the direct control of the Department of Justice are the United States penitentiaries located at McNeil's Island, Washington, and at Fort Leavenworth, Kansas. The first-mentioned institution is a small one, and was the territorial prison when Washington was a Territory, which remained in the possession of the General Government. The institution at Fort Leavenworth, Kansas, originally a military prison, under the control of the War Department, was used for the confinement of persons convicted by courts-martial, became a civilian prison and placed under the control of the Attorney-General in 1894. Its capacity is about 800.

The act of Congress of June, 1896, provided for the erection of a United States penitentiary on the military reservation at Fort Leavenworth, Kansas, and on its completion and occupancy the military penitentiary transferred to the Department of Justice in 1894 should be restored to the control of the War Department. Work on the buildings authorized by the above act has been in operation for some time and is based on plans which embrace the most recent and modern improvements in institutions of like character. It is hoped that it may be ready for occupancy within the next three years. Its capacity will be 200 prisoners.

Prisons of Great Britain.

DIETARY FOR CONVICTED PRISONERS.

Dietary "A."

Number 1.

| Meals. | When issued. | Articles. | Men, women and boys under 16 years of age with and without hard labor. |
|-----------------|--------------|---|--|
| Breakfast | Daily | Bread | 8 ounces. |
| Dinner | Daily | Stirrabout containing 3 ounces Indian meal and 3 ounces oatmeal | 1½ pints.
8 ounces. |
| Supper | Daily | Bread | |

Number 2.

| Meals. | When issued. | Articles. | Men with hard labor. | Men without hard labor, women and boys under 16 years of age. |
|-----------------|--------------|--------------------|----------------------|---|
| Breakfast | Daily | Bread | 6 ounces | 5 ounces. |
| | | Gruel | 1 pint | 1 pint. |
| | Sundays and | Bread | 6 ounces | 5 ounces. |
| | Wednesdays | Suet pudding | 8 ounces | 6 ounces. |
| Dinner | Mondays and | Bread | 6 ounces | 5 ounces. |
| | Fridays | Potatoes | 8 ounces | 8 ounces. |
| | Tuesdays | Bread | 6 ounces | 5 ounces. |
| | Thursdays | Soup | 1 pint | ½ pint |
| | Saturdays | | | |
| Supper | Daily | Bread | 6 ounces | 5 ounces. |
| | | Gruel | 1 pint | 1 pint. |

Number 3.

| Meals. | When issued. | Articles. | Men with hard labor. | Men without hard labor, women and boys under 16 years of age. |
|-----------------|--------------|--------------------|----------------------|---|
| Breakfast | Daily | Bread | 8 ounces | 6 ounces. |
| | | Gruel | 1 pint | 1 pint. |
| | Sundays | Bread | 4 ounces | 4 ounces. |
| | Wednesdays | Potatoes | 8 ounces | 6 ounces. |
| | | Suet pudding | 8 ounces | 6 ounces. |
| Dinner | Mondays | Bread | 8 ounces | 8 ounces. |
| | Fridays | Potatoes | 8 ounces | 6 ounces. |
| | | Beef | 3 ounces | 3 ounces. |
| | Tuesdays | Bread | 8 ounces | 6 ounces. |
| | Thursdays | Potatoes | 8 ounces | 6 ounces. |
| | Saturdays | Soup | ½ pint | ½ pint |
| Supper | Daily | Bread | 6 ounces | 6 ounces. |
| | | Gruel | 1 pint | 1 pint. |

Number 4.

| Meals. | When issued. | Articles. | Men with hard labor. | Men without hard labor, women and boys under 16 years of age. |
|-----------|--------------|--------------|----------------------|---|
| Breakfast | Daily | Bread | 8 ounces | 6 ounces. |
| | | Porridge | 1 pint | 1 pint. |
| | | Gruel | | 1 pint. |
| Lunch | Sundays | Bread | 6 ounces | 4 ounces. |
| | | Potatoes | 8 ounces | 8 ounces. |
| | | Suet pudding | 12 ounces | 10 ounces. |
| Dinner | Wednesdays | Bread | 8 ounces | 6 ounces. |
| | | Potatoes | 12 ounces | 10 ounces. |
| | | Beef | 4 ounces | 3 ounces. |
| Supper | Mondays | Bread | 8 ounces | 6 ounces. |
| | | Potatoes | 8 ounces | 8 ounces. |
| | | Soup | 1 pint | 1 pint. |
| Breakfast | Tuesdays | Bread | 8 ounces | 6 ounces. |
| | | Potatoes | 8 ounces | 8 ounces. |
| | | Porridge | 1 pint | 1 pint. |
| Lunch | Thursdays | Bread | 8 ounces | 6 ounces. |
| | | Porridge | 1 pint | 1 pint. |
| | | Gruel | | 1 pint. |

On Mondays beans and fat bacon may be substituted for beef. At the expiration of nine months one pint of cocoa, with two ounces extra bread, may be given at breakfast three days in the week, in lieu of one pint of porridge or gruel, if preferred. The following will be the terms to which the above diets will be applied:

Prisoners serving seven days and under, No. 1 diet for whole term.
Prisoners serving more than seven days and not more than one month, No. 1 diet for seven days, No. 2 for remainder of term.
Prisoners serving more than one month and not more than four months, No. 2 diet for one month, No. 3 for remainder of term.
Prisoners serving more than four months, No. 3 diet for four months and No. 4 for remainder of term.

Provisional substitutes for boiled beef or potatoes which may be used if deemed necessary by the authorities:

| Amount of boiled beef. | Beef or mutton (served cold). | Beans and fat bacon. | Fresh beef | Fresh fish. | Salt meat. | Boiled salt fish. |
|------------------------|-------------------------------|----------------------|------------|-------------|------------|-------------------|
| 5 oz. | { | Beans, 9 oz.. | { 4 oz. | 8 oz. | 6 oz. | 12 oz. |
| 3½ oz. | | Bacon, 1 oz.. | | | | |
| | | Beans, 7 oz.. | { 3 oz. | 6 oz. | 4½ oz. | 9 oz. |
| | | Bacon, ½ oz.. | | | | |

| In lieu
of potatoes. | Cabbage or
turnip tops. | Parsnips,
turnips,
carrots. | Preserved
(dried)
potatoes. | Leeks. | Steamed rice. |
|-------------------------|----------------------------|-----------------------------------|-----------------------------------|----------------|---------------|
| 12 ounces..... | 8 ounces | 12 ounces | 12 ounces | 8 ounces | 12 ounces. |
| 10 ounces..... | 7 ounces | 10 ounces | 10 ounces | 7 ounces | 16 ounces. |
| 8 ounces..... | 6 ounces | 8 ounces | 8 ounces | 6 ounces | 8 ounces. |
| 6 ounces..... | 4 ounces | 6 ounces | 6 ounces | 4 ounces | 6 ounces. |

All meats to be weighed without bone.

Potatoes to be weighed after cooking.

Dietary "C."

KINGS COUNTY PENITENTIARY.

Sunday.

Breakfast—Jelly, bread, coffee.

Dinner—Pork and beans, bread.

Supper—Bread and tea.

Monday.

Breakfast—Bologna sausage, bread, coffee.

Dinner—Beef stew with vegetables, bread.

Supper—Bread and tea.

Tuesday.

Breakfast—Corned beef hash, bread, coffee.

Dinner—Corned beef, cabbage, potatoes, bread.

Supper—Bread, tea.

Wednesday.

Breakfast—Rolled oats, bread, coffee.

Dinner—Pork and beans, bread.

Supper—Bread and coffee.

Thursday.

Breakfast—Corned beef hash, bread, coffee.

Dinner—Mutton stew with vegetables, bread.

Supper—Bread, tea.

Friday.

breakfast—Rolled oats, bread, coffee.

Dinner—Clam chowder, bread.

Supper—Bread, tea.

Saturday.

breakfast—Corned beef hash, bread, coffee.

Dinner—Beef stew with vegetables, bread.

Supper—Bread and coffee.

Dietary "D."

DISTRICT PRISON, MANHATTAN, ONE HUNDRED AND TWENTY-FIRST STREET.

Monday—Corned beef, one-half pound per capita, vegetables.

Tuesday—Mutton, one-half pound per capita.

| | |
|-----------------|------------------|
| Wednesday—Beef. | } Same quantity. |
| Thursday—Beef. | |
| Friday—Fish. | |
| Saturday—Beef. | |
| Sunday—Beef. | |

Meats put up in stew with vegetables of all description.

The help employed in prison, meats stewed or roasted, beans, and other vegetables daily. Each prisoner receives 1½ pounds white bread daily; that is, in portions with their coffee in morning and tea in the evening, every Wednesday and Sunday.

The inmates receive three ounces currant jelly at breakfast.

Dietary "E."

HOUSE OF REFUGE FOR WOMEN AT HUDSON.

Monday.

Breakfast—Coffee, fried potatoes, bread.

Dinner—Beef, corn, potatoes.

Supper—Squash pie, cucumbers, beets, tea, bread, molasses.

Tuesday.

Breakfast—Oatmeal, coffee, bread, molasses.

Dinner—Beefsteak, corn, squash, potatoes, beet greens.

Supper—Molasses cake, potatoes, tea, bread, molasses.

Wednesday.

Breakfast—Coffee, corn meal mush, bread, molasses.

Dinner—Beef stew and vegetables.

Supper—Boiled rice, tea, bread, molasses.

Thursday.

Breakfast—Fried potatoes, coffee, bread, molasses.

Dinner—Corned beef, cabbage and potatoes.

Supper—Cucumbers, potatoes, bread, molasses.

Friday.

Breakfast—Oatmeal, coffee, bread, molasses.

Dinner—Codfish, pickles, boiled rice with sauce, potatoes.

Supper—Potatoes, bread, butter, molasses, tea.

Saturday.

Breakfast—Potatoes, coffee, bread, molasses.

Dinner—Bean soup, potatoes, bread.

Supper—Potatoes, beets, cucumbers, tea, bread, molasses.

Sunday.

Breakfast—Potatoes, coffee, bread, molasses.

Dinner—Pork and baked beans.

Supper—Cold beans, cake, prunes, bread and butter.

The vegetables are all raised on the grounds, planted and cared for by inmates.

Department of Relief

DISCHARGED CONVICTS

The work of this department of our doors during the past year has been very satisfactory. In securing employment of a permanent nature for discharged prisoners particularly, more has been done than ever before. Success in this direction is largely due to the personal efforts of a member of the executive committee, who has devoted much of his time to visiting prisons near the city and holding conversations with men about to be released.

The effect of this personal work was soon noticed in the relief department, where all applications for aid are made by discharged prisoners. A better class of men came to our doors—men who really wanted work instead of aid. As might be expected, many of the applicants for help are unworthy and must be turned away. This class of applicants grow fewer in number every year, because of the labor test applied in all cases by the Prison Association in its own building. Work is not what such men are looking for. Elsewhere will be found a tabulated statement of what has been done in the way of helping discharged prisoners, and a few sample cases by way of explanation. The labor test, etc., has been so carefully explained in former reports (which will be sent on application) that we deem it unnecessary to enter into details at this time.

DETENTIONS.

The visitation of the City Prison (Tombs) and Court of General Sessions and the search for innocent or deserving and friendless prisoners has been conducted along the same lines as in former years. For over half a century the agents of the Association have gone over the galleries of the old prison, which is soon to be demolished, as a new prison has been built and is nearing completion.

The duties of the agent are numerous, as has been stated in former years; much of his work being of such a nature that to keep a record of it is impracticable. Three hundred and twenty cases were taken up in various ways, some were abandoned for good reasons; in a few, suspension of sentence was granted by the court, in a great many the prisoners were sent to reformatory institutions instead of prisons, some were acquitted after trial, and others were liberated for want of prosecution. That class of scoundrelly lawyers known as "shysters" still pursues its calling—somewhat limited of late, and always will as long as our best lawyers avoid practicing in the criminal courts.

The officers of the prisons, the judges and officers of the courts, are entitled to the thanks of the Association for many favors extended to the agent in his work.

A man was found in the Tombs hospital during the warmest of the summer weather, charged with the theft of a watch. He stoutly maintained his entire innocence, and the evidence connecting him with the transaction was of the flimsiest nature. On inquiry it was found that the complainant, a sailor, had gone to sea. The prisoner was suffering with rheumatism or some disease of such a nature that unless he was rubbed vigorously every day his legs and arms would contract, rendering him absolutely helpless;

he was rapidly getting in this condition when he sent for me. I asked the Acting District Attorney to consider the physical condition of the prisoner and waive the county's right to hold him in jail until two consecutive terms of court had passed. This he very kindly did, and the prisoner was released.

N. I., an inmate of the State Reformatory, having earned by continued good conduct twice the number of marks necessary to earn a parole, had his case brought to my attention.

He was formerly employed by a firm in this city and embezzled its funds. Five indictments were found by the grand jury, and the judge sentenced him to the State Reformatory on one and a warrant for his rearrest was lodged at the reformatory. The managers refused to let him go until the warrant was disposed of, and the complainants refused to withdraw. The man's father employed counsel, who consulted with the District Attorney, and was advised by him to apply to the Governor for a pardon. I advised the lawyer that to apply for the release of a man that the reformatory was perfectly willing to liberate, would appear ridiculous, and told him to let me look into the matter. I found that by the endorsements of the indictments he had pleaded guilty to all five, while in another place he was credited with pleading on but one. I placed the matter before the judge, and on hearing the details he suspended sentence on all of the four remaining indictments, thus clearing the way for the young man's release. The true inwardness of the matter seems to have been a desire on the part of the complainants to get money out of the young man's father.

S. N. H., a young Irish woman, was convicted of grand larceny in the Court of General Sessions, and as she was without friends, the court asked the Prison Association to look into her case and

a report. I found that she had lived for some time in Albany, and at my request a member of the executive committee made some inquiry as to her record in that city. His report was a favorable one, and I was able to recommend extreme leniency. A suspended sentence was granted on condition that the Association send her to Albany, and this was done. It was a case of yielding to a momentary temptation, and regretting it most keenly soon after. S. was a domestic servant, and had a desire for money; her mistress left some cheap jewelry lying on a bureau, and she took it. The property was missed, the police notified, and she was arrested, all in about fifteen minutes.

What would have sent her to the penitentiary, the judge said, would have been her utter ruin—if the weeks of confinement in the Tombs had already accomplished that result.

B., an old German, who had served three sentences in State Prison and two in the penitentiary, called at the office saying: "I have been thirty-one years in America, and have served twenty-five years of that time in prison. I now see the follies and errors of my life, and want to spend the remainder in honest living. My attempts were well to do, consequently I learned no trade; I never made money in those days, as I always had plenty. When my attempts died the property was sold, and the proceeds divided between four children. I took my share, sailed to America, spent my money freely and foolishly and in a few years found that my money had all gone. What was I to do? Never having worked before, it was hard for me to obtain employment, but one of my acquaintances showed me how to get money without working for it. I became an apt pupil, but soon fell into the hands of the law, and went from bad to worse. I am willing to do anything you say, and I sincerely hope that you will be able to make an honest man of me, the same as I was years ago."

B. worked in our building, went through the same treatment as many others have, and learned, for a time at least, to overcome his weakness of wanting to take for his own use property belonging to other people.

He is now working on Staten Island.

N. was discharged from Kings County Penitentiary, after having served a one year's sentence for grand larceny, second degree. This had been N.'s third time in prison, and he came to the office saying "he was sick of the whole business," and asked the Association to help him on his feet.

N. was put through the same treatment as a good many others, and came up to all the requirements; however, after being in the building about a week he stated one morning that he was not feeling well; a hasty examination showed that the man had fever, and he was given a letter and admitted to Bellevue Hospital, where he was discharged as cured a few days later on. He immediately reported at the office, was kept until strong enough to work, provided with employment as driver for a doctor, given a full outfit of coachman's clothing, and on departing was told to forget his prison experience, "look forward and not backward."

J. T. was discharged from Clinton in September, after having served a two year sentence. T. had been in prison nine times and was well nigh discouraged, as he had tried to obtain employment without result. In a condition that demanded pity he presented himself at the office and asked that something be done for him in order that he could redeem himself. After a long talk he was given work in the building, was encouraged every day and given advice. A change came over him, and he lost that peculiar look which proclaims the convict; his face looked bright and hopeful. One morning as he reported that he had found employment

within five blocks of the office, and said that he was willing to be aided by the people of same.

T. calls every once in a while for advice, and it seems as if he really is in earnest as to his desire for reformation.

Letter from a former inmate of the Kings County Penitentiary, who was sent away to employment after having been boarded some weeks:

Prison Association, New York, U. S. A.:

Gentlemen.—It is with the greatest pleasure that I send you these few lines, to try and express my gratitude for the many acts of kindness and favors you have conferred upon me. I feel that words cannot express what I feel, or rather have not the ability to express them; all I can say is God bless you all. With regards to all connected with the Association, I am,

Yours truly,

I. E.

A letter from another beneficiary:

ASBURY PARK, N. J.

Dear Sir.—I arrived at Long Branch and was surprised to learn that Mr. ——— had received your letter so soon. Please allow me to express my sincere appreciation of your many acts of kindness while in your care in Fifteenth street, also for the employment which you obtained for me.

Yours truly,

N. D.

O. Q. C. had served a five years' sentence in State prison at Sing Sing; on being discharged had \$11.40, which he spent in trying to obtain employment.

He came to the office, told his story, was tested and tried in the same manner as others, and found to be worthy and sincere.

Employment was procured for him in New Jersey, where he still is at the date of this report.

A very unfortunate man was William Q., coming to the office the day following his discharge from a hospital.

Q., while at the State Prison at Auburn, contracted tuberculosis, and after he was discharged had an operation performed on his arm, the doctor cutting away all the bone at the elbow.

Q. was found to be sincere in his professed reformation, was willing to work at anything, but we found it difficult to obtain employment for him on account of his crippled arm: however, after being with the Association for two months, he was employed by a civil engineer as timekeeper. Q. is now doing well.

In the city prison (Tombs) there is a letter-box in which prisoners can place letters when the aid or help of the agent is required.

The following letter was found in it one morning by the agent:

My Dear Sir.—I was discharged from the prison at Dannemora, Clinton County, after doing four years and nearly ten months solid last Thursday, and hoped I would be a free man, but there was an officer waiting for me in the office up there and brought me back to New York on an old warrant sworn out since November, 1894, just five years ago, for receiving stolen goods. I pray you, sir, to come and see and advise me what to do, or send some one to me to-day and then I can better tell my case. The judge in the Centre Street police court was good enough to put my examination off till to-morrow. I am

sure if someone will see these people that got out the warrant they might withdraw the charge. It is hard to do so many years in prison, to be arrested again as soon as discharged for another offense committed before being sent away. I beg of you to help me, as I do not know what to do.

I am your most humble servant,

W. R.,

Tombs, gallery 3, 104 cell.

I immediately went to the prisoner's cell to hear his story, and in spite of his bad record extending over almost a quarter of a century, I concluded that he was a penitent man, and one who should be encouraged in trying to reform.

By my advice he put the history of his case in the form of a letter to the court.

The Hon. Judge ——:

Dear Sir.—I hope your honor will please excuse me of taking the liberty of addressing this letter to you. I beg your honor to show me some mercy. I have served many years of imprisonment and think I have been punished and suffered much for my crimes.

I cannot complain, because I know I deserved it. I know, your honor, that there are few people will believe that a man who has been in prison so many times will repent and lead an honest life. For the last four years in prison I worked and studied hard, night and day, to learn a good trade, so as to earn a good, honest living, and on the morning of the 9th of last November I woke up a happy man, expecting to be free to go out in the world and earn an honest living. I was dressed, taken to the office, handed my few dollars that were due me, and signed my discharge papers, turned round to leave, when an officer stood behind me rearrested me on this charge.

I hope to God that no man will ever feel as I felt then. I do not know what to say to your honor so you will believe me. I know I deserve my punishment, but the great God who can look into all our hearts knows that I am a different man now when I left that prison, from what I was when I went in. There are people willing to help me to lead a better life and get employment for me if your honor sees fit to give me a chance. I beg you, sir, give me a chance in any condition your honor sees fit to make, and I assure you that I will never get into trouble again. If I should get into trouble again then let the severest penalty the law calls for be dealt out to me. Any questions you will ask me when I am called before your honor I shall answer with nothing but the truth. So I beg of you, sir, to have mercy upon me and give me a chance to redeem myself and live and die an honest man.

I have not seen a free Christmas day in twenty-two years or seen my people in that time. When I get work and prove to them that I have turned away from crime and crooked life I would like to see them once more. I will close, hoping your honor will excuse me for addressing this letter to you and have mercy on me.

I am your humble servant,

W. H.

Yonkers City Prison.

Accompanying the above letter the following was submitted to the court on behalf of the Prison Association:

In the case of the People vs. W. H.

It appears that the defendant, W. H., after having served a sentence of some years in State Prison, was released before he had actually left the prison on a warrant issued about five years ago charging him with grand larceny in the second degree.

From the records of the court and the admission of the defendant, it appears that he has been repeatedly convicted of felony and has been half his life an inmate of the prisons of the State. He informs me, and I believe that he shortened his last sentence by earning the usual commutation time for good behavior in prison. It is conceded that the prisoner has been a bad man and an enemy to society, but as he has been arrested without having had an opportunity to demonstrate whether his last term of imprisonment has accomplished his reformation, and is entirely without friends to counsel or otherwise assist him, and has appealed to me for help, I am inclined to say what I can in his favor. He seems to be penitent and professes a sincere desire to earn an honest livelihood by means of a profession acquired during his imprisonment; he claims that his studies in the art of designing have been carried a night and day, and that his eyesight has been impaired thereby. Surely this is an indication of his intention to live an honest life irrespective of any statement he may present. That he is an expert in designing is established by the enclosed letter from a former State prison warden who has known him for years. He admits that he is guilty of the crime for which he has been apprehended, and by that plea saves the people the expenses incident to a trial. It is contrary to precedent to return a discharged prisoner to the prison from whence he came without giving him some chance to live an honest life, and in all probability further *prolonged* imprisonment would only embitter the prisoner, making him a worse man than he is at present. It is respectfully urged that the court is not a weapon for the use of persons desiring to be revenged, and that the object of imprisonment is reformation and deterrence, therefore, to visit

a severe penalty on this prisoner at this time would only savor of persecution, and on this account he is recommended to the mercy of the court.

This Association stands ready to befriend him, giving him all needed assistance, if it finds him worthy and appreciative, until he is in a position to become self-sustaining, or it will promptly report to the court any further infraction of the law that may be committed by the prisoner.

Respectfully,

D. E. KIMBALL,

For the Prison Association of New York.

The court, after a few words of advice to the prisoner, who wept bitterly, told him that he was released. R promised to report to the judge every month as to his progress and then walked out of court. His long years of imprisonment had made free movements unnatural to him. He fell into the lock step behind a visitor who was also going out. His newly acquired freedom was so strange to him that it was necessary for the agent of the Association to lead him out of the building.

W. R. is now employed within five blocks of the office and is doing well; calls every fortnight and tells us how he is getting on. Very often some one from the Association goes to see him, offering words of encouragement, etc. He is saving money and by all appearances he will some day have a business of his own.

Discharged Prisoners.

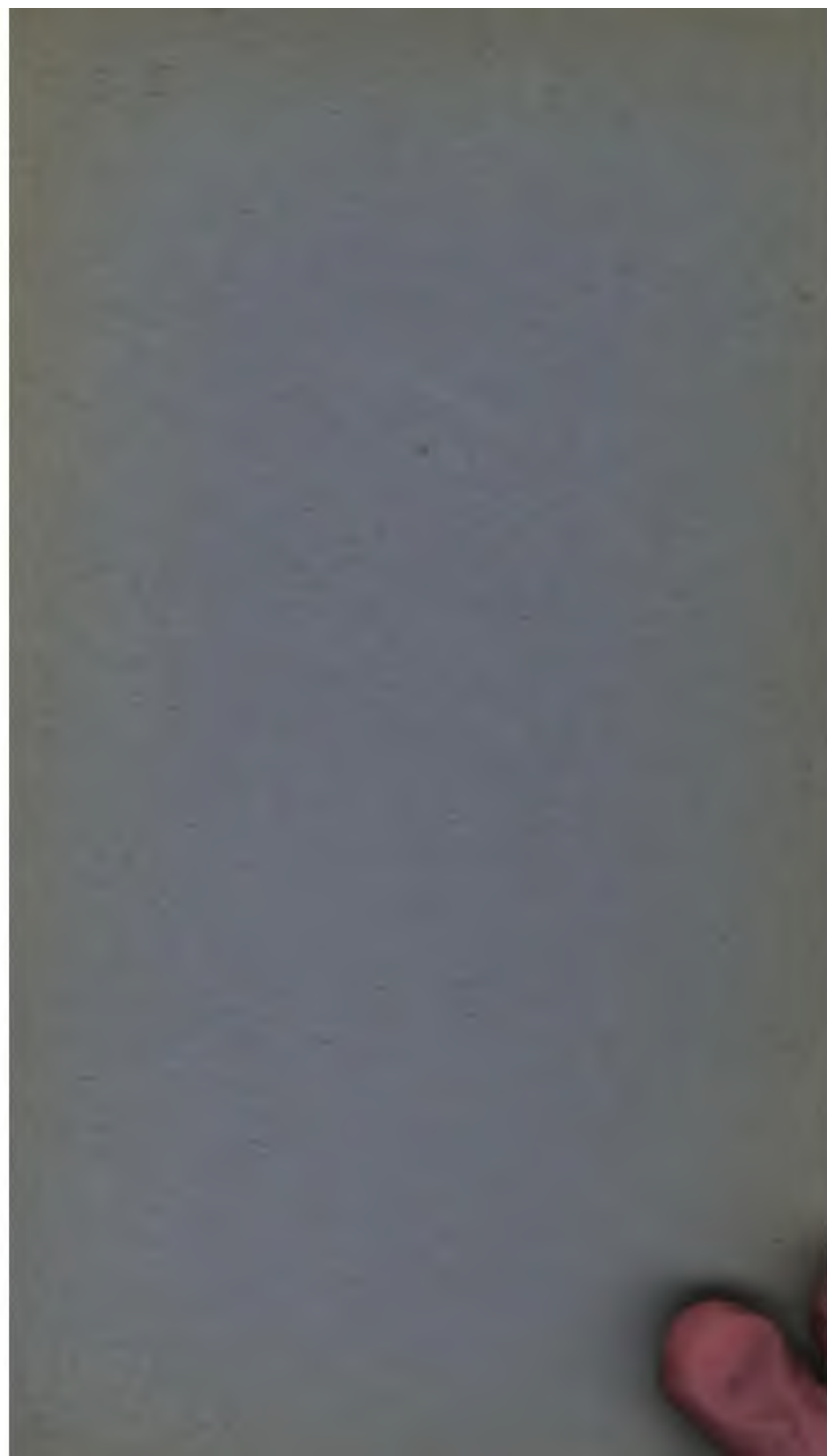
| | Registered. | N. Y. County Penitentiary. | Sing Sing. | Auburn. | Clinton. | Kings County Penitentiary. | Elmira Reformatory. | Other Prisons. | Tools. | Transportation. | Days work furnished in one building. | Steady work. | Clothing. | Number of garments. | Lodgings. | Meals. | Number of books furnished. |
|-----------------|-------------|----------------------------|------------|---------|----------|----------------------------|---------------------|----------------|--------|-----------------|--------------------------------------|--------------|-----------|---------------------|-----------|--------|----------------------------|
| November, 1898 | 60 | 24 | 4 | ... | 4 | 3 | 24 | 2 | 1 | ... | 113 | 57 | 21 | 129 | 231 | 578 | 460 |
| December, 1898 | 62 | 33 | 5 | ... | 2 | 8 | 12 | 2 | 1 | ... | 127 | 54 | 28 | 149 | 193 | 607 | 1,000 |
| January, 1899 | 54 | 34 | ... | 1 | 1 | 11 | 6 | ... | 1 | 3 | 109 | 48 | 32 | 150 | 98 | 499 | 1,000 |
| February, 1899 | 64 | 30 | ... | ... | 1 | 10 | 19 | 4 | ... | ... | 112 | 57 | 21 | 75 | 138 | 469 | 560 |
| March, 1899 | 83 | 56 | ... | ... | 2 | 6 | 13 | 6 | 1 | ... | 186 | 71 | 19 | 96 | 188 | 599 | 300 |
| April, 1899 | 76 | 27 | ... | ... | 3 | 3 | 34 | 5 | ... | 3 | 103 | 63 | 26 | 86 | 119 | 334 | 1,000 |
| May, 1899 | 79 | 17 | 2 | 2 | 4 | ... | 49 | 5 | 1 | 1 | 76 | 72 | 19 | 94 | 108 | 193 | ... |
| June, 1899 | 59 | 15 | 4 | ... | ... | 1 | 33 | 6 | 1 | ... | 80 | 50 | 14 | 63 | 88 | 186 | 200 |
| July, 1899 | 40 | 10 | 6 | 5 | ... | 1 | 14 | 4 | 1 | ... | 92 | 30 | 24 | 120 | 98 | 252 | 400 |
| August, 1899 | 68 | 15 | 6 | ... | ... | 3 | 44 | 1 | ... | 2 | 123 | 60 | 18 | 71 | 93 | 302 | 200 |
| September, 1899 | 43 | 13 | 1 | 1 | ... | 3 | 6 | 4 | ... | ... | 86 | 42 | 13 | 39 | 84 | 231 | 1,660 |
| October, 1899 | 68 | 28 | 7 | 2 | 1 | 2 | 15 | 4 | ... | 3 | 96 | 47 | 21 | 139 | 112 | 231 | 1,100 |
| Total | 756 | 302 | 40 | 11 | 21 | 52 | 287 | 43 | 7 | 19 | 1,302 | 651 | 256 | 1,209 | 1,540 | 5,486 | 5,860 |

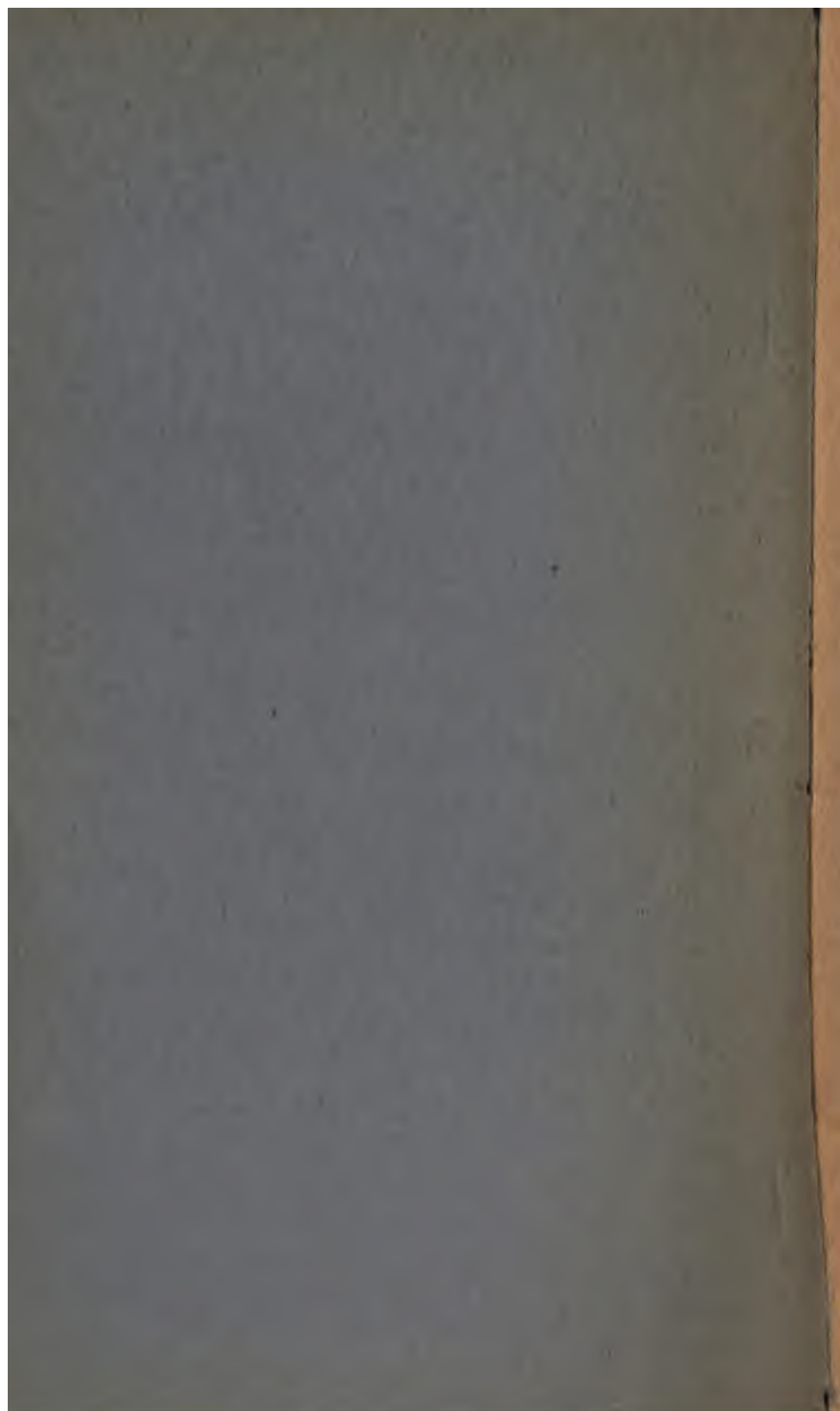
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THE PRISON ASSOCIATION

OF

NEW YORK.

FIFTY-FIFTH ANNUAL REPORT.

PART II.

Being a Report of a Committee Appointed to Inspect
the Prisons, on an Order from the
Supreme Court.

TRANSMITTED TO THE LEGISLATURE MARCH 6, 1900.

ALBANY:

JAMES H. LYON, STATE PRINTER,

1900.

ABSTRACT OF REPORT

OF THE

COMMITTEE OF THE PRISON ASSOCIATION OF NEW YORK, APPOINTED
TO EXAMINE THE PENAL SYSTEM OF NEW YORK STATE.

ON AN ORDER FROM THE SUPREME COURT.

Being Part II of the 55th Annual Report of the Association.

At a special meeting of the executive committee of the Prison Association of New York, held at the office of Mr. Charlton T. Lewis, on the 13th of September, 1899, the following gentlemen were appointed a committee to examine the prison system of the State with reference to all matters likely to effect the efficiency and discipline of these institutions. The committee consisted of Dr. Austin Flint, Eugene Smith, F. P. Bellamy, Jacob Riis, J. Seely Ward, Jr., Dr. J. G. Phelps Stokes, J. Murray Mitchell, Henry F. Gregory and W. M. F. Round.

MINUTES OF THE EXAMINING COMMITTEE.

Pursuant to a call from the chairman of the committee to examine the State prisons, a meeting was held at the office of the Prison Association of New York, on Wednesday, October 4th, there being present Dr. Austin Flint, Messrs. Ward, Gregory, Smith and Round. Mr. Round having been elected secretary of the committee, made a statement of the conditions that had led to the appointment of the committee and also announced that an order for the same, signed by Judge Garrettsen, of the Supreme Court, had been obtained, the examination to terminate on January 1, 1900.

A second meeting was held at the office of the Prison Association on the 11th of October, at 8.30 p.m., and a plan was formulated for visiting and examining the prisons, the examination to begin at Sing Sing Prison on November 8th; that the order of procedure should be to examine the prisons as to the plant, classification, discipline and labor. Mr. J. Seely Ward, Jr., was asked to act as chairman of the sub-committee, as Dr. Flint would not be able ordinarily to attend the meetings of the committee.

The first working session of the committee was held at Sing Sing Prison, November 8th at 10 a. m. There were present Messrs. J. Seely Ward, Jr., Dr. J. G. Phelps Stokes, Hon. J. Murray Mitchell and William M. F. Round, secretary. There were taken at Sing Sing Prison, ninety-two folios of evidence, following a most careful examination of the plant.

THE PLANT OF SING SING PRISON.

In regard to the plant of the prison, the committee found the old building greatly lacking in all sanitary appliances. The large cell room was first examined, and it was ascertained that the size of the ordinary cell was 3 feet 3 inches by 6 feet 6 inches in height and 7 feet long. There were 1,200 of these cells in a cell room 60 feet wide by 400 feet long. The cells contained about 145 cubic feet of breathing space, the only ventilation being a small hole 4 by 5 inches in size leading directly into the shaft to the roof. These small ventilators are often stopped up by the convicts, and many of them were filled with debris and filth. The door is, however, 22 inches by 6 feet in size, through a wall 22 inches in thickness. The thickness of the wall prevents direct rays of light entering the cell except in such cells as are directly opposite the very small and very narrow windows. *There are six tiers of cells.*

The warden was not aware of the law requiring a certain number of cubic feet of breathing space for each inmate, or, if aware of it, did not know whether it applied or not to prisons.

Sixty-nine of the cells had two occupants, an entirely unnecessary thing, as there were 1,132 prisoners. An explanation of this was made by Warden Johnson, on the ground of a certain number of cells always being empty, as it was necessary to be continually scraping the cells, taking off the whitewash and re-whitewashing, in order to keep them approximately free from vermin. From 40 to 100 cells are always unused.

The cells are lighted by electric lights from dusk until 11 o'clock. The bucket system prevails, and as men frequently are obliged to use their buckets at night, the air in the morning is extremely offensive. At the north end of the prison, in corridor, a barrel was discovered almost full of rubbish and excreta, emitting a vile smell and evidently not having been emptied for several days. In the warden's evidence, his testimony was that this barrel is frequently changed, a new one being substituted, but your committee found the one in use vile beyond description. Upon examination of the warden and physician it was found to be the ordinary urinal for officers and guards, and the men who were working in the cells have been using this barrel for evacuating their bowels. The absence of closets appears to have been known to the Department of Prisons, and the testimony shows no inclination to correct it or to remedy this defect at all. Since the accession of Warden Johnson, he has at his own suggestion brought a pipe from the sewer into the middle of the prison corridor, where it is contemplated putting closets later on. The lower tiers of cells are often dripping with wet, and although the iron is frequently painted, it is in places extremely

rusty. No effort has been made to test the humidity of the air, nor has there been an application of scientific measures for ascertaining the amount of carbonic acid gas or other atmospheric impurities, information on either of these points not having been demanded from the Department of Prisons. The prison is infested with vermin, principally bedbugs, and the testimony of the warden is interesting on this point, as compared with the testimony of other prison officials later on, he having given it as his opinion that it was positively impossible to keep the prison free from vermin.

The committee noted with satisfaction that two new padded cells have been added to the equipment of the prison "for men who go mad in the night."

From the testimony of the physician it was shown that the men suffered from malaise, on account of bad ventilation of the prison, reporting a hospital call from five to ten per cent. of the prison population.

He also testified as to the serious consequences of doubling up, and the bad effect upon the eyes of the men from insufficient light in the daytime.

In this connection it may be also mentioned here that Dr. Ransom, of Dannemora Prison, spoke of the bad effect on the men's eyes of the electric light in the cells, so that the men in Sing Sing Prison, who have bad light in the daytime and too much light at night, are continually subject to peril in this respect.

The bedding in the cells were far from sweet. In this particular the testimony of Schaeffer, the convict, may be interesting.

Q. What kind of mattress have you?

A. Straw mattress.

Q. How long do you say you have been in prison?

A. Two years and five months.

Q. How often has your mattress been changed in that time?

A. Once.

Q. When was that?

A. A long time ago.

Q. How long?

A. Mr. Sage was here then.

Q. Is this your regular cell?

A. Yes, sir.

Q. How often is the bedding washed?

A. About twice a year.

Q. When was it washed last?

A. When we changed blankets.

Q. Have you not changed the straw in a year?

A. Something like that; I got a new mattress.

Q. Do you think you have had your mattress longer than most men?

A. That may be.

Q. You don't know how long since the next man has had his mattress changed?

A. No, sir.

Q. Does the air get bad in the prison?

A. Generally in the morning; it is generally pretty bad.

Q. Are the windows closed at night?

A. Not in the summer time; I keep mine open; I keep my own bedclothes and don't use the prison clothes.

Q. You don't use the prison clothes?

A. No, sir.

In the testimony of Warden Johnson the following appears:

Q. How often is the bedding laundered?

A. Every week or two; we take sections at a time; it depends on the character of the men; some keep their clothes clean and some will throw them on the floor, and others are tidy and keep their cells clean.

Q. What kind of mattresses are they; what are they stuffed with?

A. Straw.

Q. How often are they changed?

A. When it is necessary; when it becomes in any way destroyed and needs changing.

Q. Are they ever changed on account of uncleanness?

A. No, sir.

Q. How long is the life of a mattress?

A. I don't think over six months.

Your committee finds that the upper cells have only a narrow gallery before them, with an iron railing, four feet from the ground, from which a keeper might be thrown at any time; accidents of this kind have occurred in other prisons, and a convict was thrown from the second tier within the last past year.

CONDEMNED CELLS.

The condemned cells were found in fairly good condition but not safe from fire as will be shown hereafter.

The cells were lacking in ventilation, but fairly clean.

SAFETY FROM FIRE.

The visit to the prison was made about two weeks after the fire in the building devoted to the hospital, chapels and mess room. The mess room has been repaired sufficiently to use, the

chapel was to be used the following Sunday and the hospital roof was a temporary one, being then in process of construction.

This new building was begun during the wardenship of Mr. Durston. The hospital is on the third floor and will be hereafter described in the report by Dr. Stokes. The only means of reaching the hospitals and chapels were at the east end of the building and the elevator and staircases were side by side. At the northeast corner of this building is a laundry, bake shop and engine rooms, and east of these again the condemned cells. As fire is most likely to take place in the laundry, bake shop or engine rooms and as this group is directly at the foot of the staircase and elevator and as the windows of the hospital and chapels are barred, and there are no fire-escapes or other staircase, it will be seen at once that if a fire should break out at any time and spread to the chapels and hospital and the staircase and elevator become impassable, what a fearful catastrophe would occur.

An examination of the other buildings show that the roof of the principal cell structure was of wood and liable to take fire at any time. The shops contained much inflammable material, and that which is particularly dangerous, the paint and varnish shop, was not isolated. The stables were grouped together, frame buildings, in the north part of the prison yard, so far apart that they might easily be set on fire. Being contiguous to other buildings to stop the spread of fire would be a very difficult thing. An examination shows that the entire establishment is inadequately provided with appliances in case fire should break out.

The testimony of the warden and principal keeper in this respect is valuable. Warden Johnson testified:

Q. Where do you consider the weak points as to safety in case of fire?

A. I consider the roof of the main building.

Q. How could it take fire?

A. By a brand from another building, the same as the hospital.

Q. That is a wooden roof?

A. Yes, sir; and a heavy one.

Q. The two weak points are considered the galleries and the wooden roof?

A. Yes, sir.

Q. Supposing during the night an alarm of fire was given, what could you do with the men?

A. In case of an emergency I would have to let them out in the yard and station all the men that I find there; we have fifty or seventy-five rifles; I would station all the officers I had and when there is a fire there are generally plenty of people here.

Q. In your opinion, if there was a fire to break out could you get the prisoners out?

A. No, sir.

Q. How long would it take to unlock the doors?

A. I don't know.

Q. How long does it take from the time you start to unlock on Sunday?

A. I should think from twenty to twenty-five minutes, as fast as you could possibly do it.

Q. Is there any extra provision for extra service in unlocking; extra officers and an emergency call?

A. When the whistle blows, we have a code of rules.

Q. That would bring every man to his post.

A. Yes, sir.

Q. Have you a regular fire drill among the officers?

A. No, sir; we ought to have; we have an engine that could be made into a steamer.

Questions were then directed to the recent fire in the prison and the warden testified:

A. The Tarrytown fire department and the Peekskill fire department came; we had ten or twelve streams of water on; there was only one exit from the hospital and that was at this end; it was quite smoky when we took out the patients.

Q. How many patients?

A. Twenty-nine.

Q. You were able to work the elevator?

A. I did not use the elevator; these men walked down stairs; they were not so sick; there was one man who had an attack of heart disease, he was the worst; after the fire was discovered it seemed it was all ablaze, burst out of the roof and all over everything was dry on account of the bakery.

Q. You were afraid it would effect the elevator?

A. Yes, sir.

Q. Of course the elevator and staircase are the only way to get out from the hospital?

A. Yes, sir; there is no escape except from this end.

Q. If the fire had a few feet farther east there would have been no escape?

A. If we had not been there, if no one had discovered the fire for half an hour later we could not get the men out.

Q. Who made the plan of this hospital?

A. I don't know; I don't think they ever had any.

Dr. Stokes:

Q. Was the hospital floor fire-proof?

A. I suppose it is fire-proof; it is cement; the partitions upstairs were nothing but pine laths and cement.

Mr. Ward:

Q. That building was completed about a year ago?

A. Yes, sir; recently.

Q. You said that if you had been half an hour later in attacking the fire you could not get the inmates out of the hospital.

A. I don't think we could.

Q. Did you find the elevator shaft full of smoke?

A. Not the first time, but the second time.

The testimony of Principal Keeper Connaughton corroborated the warden, and both gave it as an opinion that in case of serious fire in the cell room it would take about half an hour to get the men out of the cells.

The cause of the late fire was investigated but nothing found out. It was the warden's opinion that the fire took from an exposed electric light wire. In the course of the examination it came out that the wires were not put in by an electrician but by convicts and that there had been no expert examination of them on behalf of the department of prisons.

VISITORS.

Sing Sing prison was overrun with visitors, it being made a common spectacle to those who visited from idle curiosity, there having been 1,600 visitors in the month of August, requiring always the attention of one and oftentimes two officers. The effect of such visitation is demoralizing, and in Sing Sing prison, where there is a want of proper officers to carry on the necessary routine of the work, it seems unnecessary that the State should be paying for the constant time of one officer for such a purpose, and in view of the fact also that the law says "No person not authorized by law or by written permission from the inspector shall visit any State prison." We cannot find that this law has

been amended, but somewhat changed from the fact that the powers of the State board of inspectors, abolished in 1877, were placed in the hands of the Superintendent of Prisons, who, it seems, should have permitted no idle visitation to prisons without an order supplied by himself.

Reference to the evidence will show that all three prisons are overrun with visitors, considerable large parties representing excursions, and large enough to require a special car, have visited the prisons. The convicts do not like being made a spectacle of, and it is difficult to say where any good whatever may result from such promiscuous visitation.

NORTH WALL UNSAFE.

The north wall of the prison was found to be in an unsafe condition, almost toppling over, and must be entirely rebuilt. It is liable to fall at any time, the warden testified, and he expected it to fall down at any high wind. This matter is interesting in view of the fact that the labor on the new wall could be entirely done by the prisoners, and the stone is on the ground for the purpose. This will be further treated on in the general subject of prison labor.

DIETARY.

The dietary of the prison was found to be sufficient. Food of excellent quality was given, and the expense for sustenance was stated to be nineteen and five-eighths cents a day. This was testified to by Warden Johnson, but is so largely in excess of the other prisons that we cannot but feel that he understood it to include items of fuel and expense of transportation of supplies.

MISCELLANEOUS.

Matters of classification and labor will be taken up and treated under the general heading, including the three prisons.

In passing through the shops the committee was struck with the great number of people idle, and a certain dissatisfied and restless look upon the faces of the men, who, however, seemed to be in good health. The only shop in which the men were fully occupied was the stonecutting shop, which is not reckoned as one of the "industries."

SEVENTH AND EIGHTH SESSIONS.

The seventh and eighth sessions of the committee were held at the office of the Prison Association of New York, on November 7th, there being present Messrs. Ward, Stokes and Round.

The seventh session was occupied with the examination of Mr. F. H. Mills, who acts as agent for the sale of prison-made goods and an officer of the Department of Prisons, of Clerk Cooks, of Sing Sing Prison, who was appointed by the Comptroller, and keeps the accounts relative to the industries. Warden Fallon, of Blackwell's Island Penitentiary, was also examined. The first two of these men testified only to questions affecting the labor and disposition of prison-made goods. Their testimony will be fully considered under that general subject.

Warden Fallon's testimony will be quoted later on as to certain matters of economy and discipline.

The secretary laid before the committee various correspondence from prison officials and various other persons as to matters touching the cost of sustenance and the comparative value of prison-made goods.

The committee adjourned to meet at Auburn Prison, November 23, 1899.

AUBURN PRISON.

The ninth session of the committee was held at Auburn Prison at 9.30 a. m., November 23, 1899. There were present Messrs. Ward, Stokes, Gregory and Round.

INSPECTION OF PLANT.

The entire morning was occupied with an inspection of the plant of the prison. There were found to be 1,078 prisoners, 76 of them being in the women's prison and 1,002 in the men's prison. There were 1,326 cells, a trifle larger than those of Sing Sing, with no better means of ventilation. The corridors, however, were better lighted and the windows were larger, and the whole aspect of the prison cleaner, and there was a better tone of discipline throughout the prison.

INDUSTRIES.

The industries of the prison were carefully inspected. The men in the shops were all working industriously and with apparent interest in their work. There were but two companies idle, amounting to about 100 in all. The exact number is to be found in the warden's testimony. The prison kitchen, a new structure, was amply ventilated and presented a very tidy appearance. The stores were examined and found to be of excellent quality, and purchased with every regard to economy; that the storekeeping principle was excellent. Too high praise cannot be given to the relations existing between the superintendent of industries, Mr. Clifford Hall, and the men who are working under him, both convicts and employees. The prison has a vast series of workshops all well ventilated and hardly an idle man to be seen.

CONDEMNED CELLS, PUNISHMENT CELLS AND HOSPITAL.

The condemned cells, punishment cells and hospital were visited by a sub-committee, of which Dr. Stokes was the head. A minute of his inspection will be incorporated in the report further on.

Six sessions were held at Auburn Prison. In the last one it became necessary to divide the committee, Messrs. Ward and Round taking testimony from convicts and Dr. Stokes and Mr. Gregory inspecting the conditions as to safety from fire.

The cells are constructed of stone, and are far too small, giving about 140 cubic feet of breathing space, but there is better air in the corridors than at Sing Sing. The drainage is excellent. The provisions against fire are entirely inadequate, as the following testimony will show:

Warden Mead testified under oath as follows:

Q. In regard to your fire department what protection have you against fire.

A. Just this, we have about two dozen or so of chemical fire extinguishers. A short time before I came here I was informed that one of the men was burned to death in a cell; he found some naphtha and filled his lamp; it exploded, and before he could be taken out he was burned so that he died. I then thought that we might avoid that danger and I placed some extinguishers in the corridor. It was a short time afterward that another lamp exploded and the cell ignited, when a guard caught an extinguisher and put it in the cell and extinguished the fire. These extinguishers will put out any fire in a cell. We have them scat-

tered about the building and in some of the shops. We have a water system here with a yard hose system. We have not had a fire since I have been here.

Q. Are you adequately supplied with fire extinguishers.

A. I don't know whether we are adequately supplied or not; we cannot have too many for our protection.

Q. Do you have a fire drill?

A. We have our fire company that is supposed to be taken out in case of fire.

Q. How often are they taken out for drill?

A. The principal keeper has charge of that and can tell you about it.

Q. Have you any fixed rules about a fire department?

A. I have said to the principal keeper at times, you ought to patrol your fire company.

Q. Will you kindly tell us what you should do if a fire should break out in the finishing shop?

A. I would send out a general alarm and the city department would pass in through the two gates.

Q. You have no prison patrol or drill for control of fires?

A. We have certain men designated to be brought out; a list of those men is furnished to night guards; they instantly get out our hose carts.

Q. What is your estimate of probable danger from fire in your cell building?

A. I don't think a fire could make any headway nor burn more than a single bed.

Q. What are the roofs made of?

A. They are all timber; at the same time it is laid over with lime and mortar.

A. Yes.

Q. What is the kitchen for?

A. For the sick, some of the staff and the officers.

Q. Is the kitchen constructed of combustible material?

A. Yes.

Q. Fires are going in there pretty much all day?

A. Yes.

Q. That kitchen is in charge of convicts?

A. In charge of the hospital steward and convicts.

Q. What is done with the fires in the kitchen at night?

A. I believe they are banked and allowed to go.

Q. The walls separating the kitchen from the apothecary are immediately alongside the staircase door?

A. Almost.

Q. If fire occurred in the kitchen would there be any difficulty in getting the inmates of the hospital past that door if the intervening walls were in flames?

A. Yes, I think so.

Q. How far from the kitchen is the staircase door?

A. Possibly twelve feet.

Q. If the floor of the kitchen and the apothecary shop were to catch afire how would it be possible to get the inmates from the hospital?

A. I know of no way.

Q. How many inmates would the hospital accommodate?

A. I think from sixty to seventy; I have accommodated eighty.

Q. About what is the average population of the hospital?

A. About twenty.

Q. From the innermost ward how many rooms would have to be passed through for inmates to reach the staircase?

A. Four.

}. If there was a serious fire around that door escape would cut off, and furthermore, owing to the combustible nature of floors, fire would, in your opinion, spread rapidly?

.. Very rapidly.

}. There would be no means whatever of getting the prison-out of the windows?

.. They are barred; it would be impossible.

}. What does the night watch consist of?

.. One keeper and a night nurse.

}. Have you any knowledge which leads you to believe that of the floors in the hospital is insecure?

.. I think the floor in the third ward is insecure.

}. What is the nature of the defect?

.. One of the larger timbers is split and it affords no support the cross timbers.

}. Are steps being taken to remedy this?

.. Yes.

}. You think fire appliances are certainly needed at present?

.. I think they are.

The matter of danger from fire seemed so very important that chief of the Fire Department of Auburn, N. Y., was called sworn. His evidence is as follows:

}. What is your name?

.. Edward J. Jewhurst.

}. What is your occupation?

.. I am chief of the Fire Department of the city of Auburn.

}. How long have you been fire chief?

Nineteen years.

How long have you been engaged in the fire business.

Twenty-five years.

Q. Has your experience in fighting fires been in this city during that period?

A. Yes.

Q. Have you inspected the prison recently as to its security in case of fire?

A. Yes.

Q. What portion have you inspected?

A. I have inspected the hospital, the chapel, the hall leading from the back hall, the approaches to the hospital and the stairs.

Q. What is your opinion based upon that investigation as to the adequacy of appliances for fighting fire in that part of the prison?

A. I find no immediate appliances whatever for fighting fire in that part of the prison.

Q. Do you consider that part of the prison to be constructed of readily combustible material?

A. I do.

Q. Is it your opinion that fire once started beneath the floor in the hospital would spread for some distance through the floor before being detected?

A. Yes.

Q. Why do you feel that fire would spread a long way before being detected?

A. It would spread along the floor from wall to wall. In fact, the tight flooring or wooden joists would conceal the fire for some time before it would be discovered. When discovered that fire would be almost beyond extinction without some serviceable extinguishers.

Q. It would be beyond the control of the prison fire department here?

A. Yes; what they have here.

Q. What do you think of the adequacy of the means of exit from the hospital?

A. I think the exit leading from the hospital to the hall, which the only exit, is very unsafe and there ought to be some other it.

Q. How far would the inmates have to travel, after once leaving the hospital door, before they would be apt to be past dangerous accumulations or smoke in the hall?

A. The smoke would not be apt to charge this end.

Q. The staircase leading to the hospital would serve as a chimney in which the smoke would accumulate.

A. Yes; would accumulate in the staircase and follow the opening.

Q. There is then practically a chimney with a draft from the staircase up?

A. Yes.

Q. If a fire would occur in the double ceiling immediately beneath the hospital, it is your opinion that it would be possible for it to travel and spread for some time before being discovered?

A. Yes.

Q. Do you consider the present exit unsafe as regards the escape from fire?

A. Yes.

Q. Have you inspected many public institutions?

A. Yes.

Q. Have you seen any in your experience more unsafe in case of fire than the hospital here?

A. I have not.

Q. You think if funds were available, this hospital should certainly be condemned?

A. Yes.

Q. Either reconstructed or rebuilt entirely?

A. Yes.

Q. Do you consider the danger serious of escape being cut off from inmates in the hospital?

A. Yes.

Q. Do you think the safety of the patients is seriously jeopardized?

A. Yes.

Q. In case it were impossible to secure promptly an appropriation sufficient to defray the expense of rebuilding the hospital, what temporary exigency would you suggest as a means of lessening the chances of fire?

A. A proper exit and fireproof floors and iron joists.

Q. Would you consider it desirable to have the doors separating the wards tinned or otherwise rendered fireproof?

A. Yes.

Q. Would you consider it desirable to have fireproof shutters placed over the windows on the side of the hospital facing the kitchen?

A. Yes; shutters covered with tin.

Q. If the kitchen were afire the hospital would be in great danger?

A. Yes.

Q. What is your opinion of this main building?

A. I should say that the main part is very combustible on account of the wooden joists and frame partitions.

Q. You think that the need there in the hospital is urgent and that prompt measures be taken?

A. Yes.

WOMEN'S PRISON.

While at Auburn, the committee made a careful examination of the women's prison, which is admirable in every respect. It was formerly the asylum for insane criminals, and has accommodations for 300 persons, while at present there are but 72.

Mrs. Welshe, the superintendent, is a woman of most advanced ideas as to prison management, has served under Dr. Macdonald, and gave as her opinion that the expense of taking care of 300 prisoners there, with the exception of the single item of sustenance, would not be more than double what it costs to take care of 76. There would be some additional expense in the provision of beds and bedding, but much of this could be provided within the prison.

Mrs. Welshe complains that there is not sufficient work to keep the women employed steadily, there not being more than half enough of labor to go around.

The forms of punishment in this prison were principally the deprivation of a meal, dinner or lunch, sometimes depriving the women of their mail, "that seems to hurt the women more than anything else;" their letters are the link to the outside world.

Mrs. Welshe, when asked her opinion as to food and boxes of luxuries being sent into the prison, said, "I do not consider it a good thing; the food is excellent here and better than they have outside; they find it better than they do in the penitentiary. I find that the worst women get the roses and they are often received from men who are not their husbands."

Q. Do you consider the effect of visitors good on the prisoners?

A. I do not approve it; the first thing visitors want to see is Mrs. Nack, or some other notorious woman. When relatives come to see prisoners they are always seen in the presence of a matron.

Mrs. Welshe had both second and third termers in the prison.

The committee cannot speak too highly of the condition and tone of the women's prison.

THIRTEENTH SESSION—DANNEMORA.

The thirteenth session of the committee was held at Clinton Prison, Dannemora, on the 13th of December, 1889, at 9.30 in the morning. The morning was taken up in examining the plant of the prison. The principal wing of the prison was built in 1845; has much roomier corridors and better light than Sing Sing or Auburn prisons. The two new wings have been built since then. The cells are much too small and are built of stone. There are 1,200 cells, and at the time of the visit of the committee there were 957 prisoners. The bucket system prevails here, iron buckets being used, enameled within, and with wooden covers. Very excellent facilities for washing them and airing them.

Complaint is, however, made as to the foulness of the air in the morning and in the long hours of Sunday, when men are locked much of the time in their cells.

The shops were sufficiently large and apparently well ventilated. Many of the prisoners in the shops, however, were idle, and there was not the same appearance of contented industry as at Auburn, but a far better appearance than at Sing Sing.

The ventilation of the prison from the top was extremely imperfect. In some of the cells in the west wing there are no ventilators at all, not even of the old type. In the new wings ventilators have been placed in the lower part, bringing in a sufficient current of fresh air, which, by a series of screens, was prevented from blowing directly on the cells, and which kept the air of the prison ordinarily sweet.

As there had been several fires in the prison at different times, careful examination was made as to the provision for such a catastrophe. It was found that there were hose and hydrants and in the shops sprinkling apparatus. There was no fire drill, except that the warden testified that "we turn out every little while and clean the hydrants."

In this connection the testimony is interesting:

FROM TESTIMONY OF WARDEN DOBIE.

Q. Have you a system of instruction; if a fire alarm should ring every officer could be assigned to duty?

A. They would be.

Q. Is that already existing?

A. I don't know.

Q. I know in some institutions and on board of ship there is not only a fire regulation, but a fire drill from time to time.

A. If a fire was to start inside here I don't know how they would reach it with hose; we have no water.

Q. Are there any chemical extinguishers about the shops?

A. I think it is entirely sprinklers; I got a letter the other day about them, but it comes out of the maintenance if you buy anything of the kind; there is no appropriation for it.

Q. Have you suggested a more complete fire appliance and apparatus?

A. I have a good thing right here (indicating a circular of a fire extinguishing apparatus); I think it would be a good idea to have some.

Q. One of the chemical fire extinguishers?

A. Yes, sir; but there ain't anything to pay for it with.

Q. Then for the need of something to pay for these with, you think the chances of the safety are lessened?

A. Yes, sir.

Q. Have you any apprehension as to the dangers of fire?

A. No, sir; I was in there the other day and a man up in the third gallery hollered fire, and in less than a minute a man with a pail of water and several guards were there; he was afraid that his lamp was going to explode, and that was all there was of it.

Q. What is the construction of the main cell room here, the old one?

A. Slated.

Q. Timbers beneath it?

A. Yes, sir.

Q. How about the new one?

A. I don't know about that.

Q. Suppose it was a concerted plot on the part of three of the prisoners to set fire to their cells?

A. I think they would burn themselves up and not hurt the rest of the prisoners.

Q. How about the smoke?

A. I don't think it would do any harm.

Q. Has any careful investigation been made?

A. I have thought of it some and I have had this here (indicating circular of fire extinguishers), and I think it desirable to have some contrivances of this kind.

Q. It comes back to the Department of Prisons, and it is in their discretion whether they shall pay for it or not?

A. If we do anything of that kind it comes out of the maintenance—it comes out of the food.

Q. Has any requisition been made for specified items?

A. Yes, sir.

Q. Is there any emergency fund?

A. There has been what is called ordinary repair fund, and now they make us estimate for that; there was a law passed last winter if you exceeded your estimate you would be guilty of a misdemeanor.

Q. If a fire should take place in this prison and there should be insufficient apparatus, through the failure of the superintendent to make an estimate, who would be responsible?

A. I don't think there is any money for it.

Q. Not only on the part of the superintendent, but the warden; would it come on the warden or the superintendent?

A. I suppose the warden should make an estimate; they only allow us so much, and fire purposes are not included in it.

Q. In the last year's requisition was there an estimate for fire apparatus and extinguishers?

A. No, sir; I think generally we are prepared for fire, unless our water should run out.

Q. How strong a force of water have you; what is the pressure here of the water?

A. I think about eighty-seven pounds.

Q. What is the greatest height of building you have here to reach; which is the highest shop?

A. About fifty feet.

Q. How much hose have you?

A. One thousand feet of hose inside and one hundred feet outside.

Q. In how many pieces is that?

A. Fifty foot pieces. We have a hose company outside; we keep their apparatus in shape; they are mostly prison officers.

Q. They are entirely familiar with it?

A. Yes, sir; they have a regular fire company and anything we can do for them we do it.

By Mr. Ward:

Q. In summer I understand the water gives out?

A. It did not give out, we pumped it.

Q. If a fire occurred at that time?

A. We probably would be short of water.

Q. How often does that happen?

A. I don't know.

AN OBJECT LESSON.

From this it will be seen that there is probably an insufficient amount of water in case there should be a general fire; that there is a very small knowledge of the condition of real things on the part of the principal officer of the prison, and inadequate supply of fire apparatus and an entire absence of fire drill. All the evidence taken as to the discipline in case of fire was of comparatively little importance to an object lesson that occurred on the same day just as the committee had adjourned for luncheon; they were just starting across the prison yard when the fire alarm was sounded and it was found that a temporary building on the coal shed was on fire. The extent of the fire was not known until afterward and there was a great blaze; three or four men ran for the hose cart within one of the buildings and the door stuck and they were not able to get it out, the bolt had not been oiled and they were not familiar with the job and were more than four minutes in getting the hose cart out. It was not more than one hundred feet to a hydrant and eleven minutes had been occupied in all before they were ready to turn on the stream. They worked as intelligently as undrilled men could work. It was at an hour when the men happened to be locked in their cells and there was no panic and no opportunity for one. The fire was one that could ordinarily be put out with the simplest chemical extinguisher.

hose company from the outside arrived almost as soon as the fire was turned from the inside. The whole thing was an exhibition of want of discipline and drill, and one can hardly imagine a case of greater helplessness, if a fire had broken out in two or three places at a time when the prisoners were in the shops firing all the guards and officers, or marching in the yard to go from the cell room.

There is not an adequate supply of water that can be depended on at all seasons of the year and indeed under the most favorable conditions there is not a sufficient supply for extinguishing a general conflagration, and the dangers enumerated are all the more significant from the fact that the prison is 17 miles from the city having a fire apparatus and must depend wholly upon its own resources.

As regards the punishment cells there seems to be very little to complain of.

The kitchens and store rooms were visited, and found in clean and excellent order and the food inspected was of a fair quality. The condemned cells were visited and were found untidy and filthy.

The bathroom was amply provided with a spray bath, well heated and well ventilated.

The subject of vermin in the prison was taken up in the doctor's testimony, who said that there was comparatively little to complain of in this direction at present and that such vermin as remained in the establishment was a relic of a former administration.

The doctor condemned the whitewashing of the cells giving it as his opinion, that so long as they were whitewashed the peeling and flaking coats of whitewash gave opportunity for the breeding of vermin.

Q. Are the cells at present whitewashed; I thought they were painted?

A. Yes, sir; the general run of cells; the dark cells are painted.

Q. How often is the whitewash renewed?

A. It depends on circumstances; sometimes very often and sometimes every few weeks.

Q. About how long would you allow a cell to remain unwhitewashed?

A. Not more than three months.

Q. As a matter of fact, is every cell in the prison whitewashed as often as three months?

A. I suppose it to be and oftener, on the average.

Q. Do you see that it is done?

A. I know that the halls are cleansed; once in so often, and also see that they are whitewashed; I pass along and inspect them; we have a regular whitewashing squad who go around all the time.

Q. You say that it is impossible to prevent the breeding of vermin?

A. Yes, sir; to entirely prohibit it; we have tried everything; we steam our beds very often, every bed is put in a steam vat and thoroughly steamed; we have tried every kind of exterminator for bugs; we have one now, where there were 10,000,000 when I came here.

Q. I understand you to say that the chief breeding ground for vermin was under the whitewash which accumulated many layers thick?

A. Yes, sir.

Q. How often is that whitewash allowed to remain in constantly increasing layers before it is scraped off?

A. I think it had been scraped off three times in my service; it an unhealthy job and a very dangerous job; it is like tearing down an old house, and it is liable to breed disease and it should never be done and I should insist that it never be done.

Q. Do you think it ought to remain undisturbed?

A. I do; I would allow it to remain undisturbed in prison walls.

Q. Do you think it would be safe to take one layer off before another was put on?

A. Yes, sir.

Q. We were told at Auburn that they were practically absolutely free from vermin and that they were careful never to allow the whitewash to accumulate.

A. That is right.

The doctor in his evidence, further expressed himself as fearing greatly the spread of tuberculosis by the bacilli freed in removing the layers of old whitewash.

He condemned the prison cells as unfit for prisoners to use, though admitting then that they were better than the other prisons in the State. He pronounced them distinctly unsanitary on the following grounds:

1st, On the ground of construction. 2nd, On the ground of size.

On the ground of ventilation, especially if the bucket is used. He advised the abolishing of the bucket from the cells. He freely expressed himself that a steel cell, with an absorbable lining, felt or asbestos, would be the best thing.

FOURTEENTH SESSION.

In the fourteenth session, the doctor, being cross-examined as to the matter of ventilation, spoke of re-recommending the ven-

tilation of the cell rooms; that the ceiling be taken off and arched over and finished in the rafters to allow perfect circulation from the top and also recommended the entire reconstruction of cells and the abolishing of the bucket system. These recommendations occurring in 1890 and 1898.

The doctor further expressed himself as considering the oil lamp, well cared for, as superior to the electric bulb, the incandescent, and being asked what particular feature of the electric light dangerous, mentioned the intensity of the light and the effect on the retina.

The school room was small and not particularly well ventilated. It was entirely inadequate for any general system of instruction.

Prison Labor in its Relation to Discipline.

1 view of the difference of opinion as to the present law in
rd to labor in the New York State prisons, a most careful in-
y was instituted on this point.

: was apparent, in walking through the yard and shops in
g Sing and Dannemora prisons, that the men were not labor-
with any degree of energy and many of them were entirely
. In Sing Sing they had a sour discontented look, and those
were laboring were laboring in a listless manner and with-
apparent interest in their work. An exception should be
le in favor of the stone shop, where 200 men were working
dily.

pon a careful examination of this subject it was found that
ing Sing prison the men were not working, taking the whole
ulation at an average, on the prison industries, of more than
hours out of the eight, and during that four hours were not
ig more work than could have been done outside in three
rs. To establish this average many of the prisoners were en-
idle. Some of these, at the time of the visit of the com-
had found temporary work in removing the debris of the
thers were employed in the bake shop and some forty in
er were locked in their cells without occupation of any kind
ere simply taken out for an hour's exercise a day.
he shoe shop 120 men were employed, but the product of
op was not more than the product of a shop of twenty men
ad been employed steadily and working energetically.

The testimony of Mr. Connaughton, principal keeper, in this respect is noteworthy:

Q. Will you tell us, according to your best judgment, how many hours the men work?

A. They are supposed to work eight hours—cutting stone eight hours.

Q. Does the entire prison population work eight hours?

A. Yes, sir; four hours at least.

Q. I find some of the men in the shops idle at ten o'clock and at three in the afternoon, half of the men sitting idle; how is that?

A. They were busy under the contract system and at three o'clock they were through.

By Mr. Ward:

Q. Take for instance, two men in the paint shop were not doing anything?

A. In the paint shop they are doing very little because the carpenters and all the men are working on the new building and the painters have to wait until the work is brought to them.

Q. Do you think that the labor amounts to as much as four hours a day at an average?

A. Yes, sir.

Q. Leaving out the stone-cutting altogether, that would bring it down to something to like two hours?

A. There is no shop at the present that does not work four hours.

Q. How long do they stay in the shop?

A. They go in the shops at 7.30 in the morning and leave there at 4.30 in the afternoon; the working hours are 7.30 to 11.30 and from 12.30 to 4.30, eight hours—the law is eight hours.

Notwithstanding the principal keeper's testimony, taking into consideration the number of men in the various shops and the

out from the shops, it was not apparent that the entire number of prisoners could be employed one-half of the time, certainly if they worked in such a way as to acquire good laboring habits.

At Sing Sing Prison the stone-cutting shop is not reckoned as one of the industries of the prison. It has been run independent of the law of demand, the stone being used for building purposes and about the premises and a large quantity has been quarried and dressed for future use. This shop is the only shop in which we saw energetic work going on. In all the others a large number of men were idle and those that were at work were simply idling.

AUBURN PRISON.

In Auburn Prison the labor conditions so far as the industries themselves were concerned were much better. It is probable that with the exception of 160 idle men in three idle companies, all the men were working. There are six hours' labor done daily, perhaps the average will be four hours a day for all the men in the prison.

In the testimony of Warden Mead it appears:

Q. You say that on the average the men are employed about six hours a day?

A. Yes.

Q. When you take into consideration accidents, want of work and the small demand from institutions, could the work that is done in six hours be done in three hours?

A. No.

Q. Taking into consideration these questions, could the work that is done in six hours be done in four hours?

A. No.

Q. In Sing Sing men say they work four hours, while you say six hours?

A. I think we work more than that if anything.

Q. How about the accidents and other conditions you name?

A. My judgment is six hours.

Q. About what per cent. of the men are idle?

A. I should say we have about one hundred and sixty idle men.

Q. Do you have difficulty in keeping the men employed?

A. We do not have any difficulty in keeping the men employed when orders come in.

Q. In view of the fact that a large number of men are only partly employed, and in view of the fact that 160 men are not employed at all, due to sickness or other reasons, don't you think that six hours a day as an average for all the men is high?

A. Perhaps so, if you figure in the idle men.

Q. Then you would say about four hours is the average for all men employed in the prison?

A. You can put it at that.

The evidence of Mr. Hall, superintendent of industries, gives 625 or 630 men as employed in the regular industries of the shops.

In his evidence he says:

Q. When you speak of an idle company, you mean not employed in the shops but may be employed outside?

A. Yes.

Q. Take the idle companies say 400 men, would they be employed part of the time?

A. Not 400; most of them are employed part of the time in the maintenance department, and these men are counted in the 400 that are not in the shops; of the men we call idle companies there are but 160; these men are not actively engaged either in the industries or in the maintenance; there will be probably 50 or

0 engaged every day from an hour to an hour and a half carrying goods from the different departments to the store room.

Q. What would you say that the percentage of the men is who are completely idle in this prison?

A. I should say that about 10 per cent. are idle.

Q. How many are employed about half of the time?

A. We are using these men more as in a trade school than as factory; if we were working these men on a contract as they had to be, probably 300 would do the same amount of work as our 600 men are doing, but we are at the same time teaching 300 men to work; teaching them the use of their tools for instance, in the cabinet shop a new man is put by the side of an experienced man and by the time he has been there a year another man is ready to take his place and he can teach some other man how to use the tools.

Q. Then out of 625 in the shops 300 are being taught their trade?

A. Yes.

Q. Practically you have a trade school here?

A. Yes, practically a school, a trade school; teach men trades and when they are released from here they obtain employment outside factories.

Q. Are the men then able to go to work at the trades they learned in prison?

A. Yes.

Q. Have you any figures or ways of ascertaining that for a certainty?

A. No, I have not; I only know from experience; I saw engaged in a factory in this city at least 25 per cent. of the men employed in the axle business, succeeded, when their times expired, in getting work in our outside industries.

Q. Do you think that any additional system of manual training desirable in the prisons?

A. I think it would be a good plan if it could be brought about to have some additional industries; something more in the line of ironwork; we have nothing of that kind here at all except in the machine shop; I mean pressing iron.

Q. Why do you think that would be desirable?

A. A large percentage of the inhabitants are engaged in the iron business; there are in this vicinity two large rolling mills and there are several large factories working on machine work.

Q. Do you think so because of the need of more employment?

A. Yes; I think we ought to have some employment for these men.

Q. You say you have 300 men who are practically learning a trade and 300 who are working in the shops who are not being specially hard worked, is the time of these men fully occupied?

A. Yes.

Q. In a leisurely way?

A. Yes, not driven as under the contract system.

Q. So occupied as not to be demoralized?

A. Yes?

Q. Are the men who are engaged in the other parts of the institution engaged enough to keep them from being demoralized?

A. Yes, we are only worried about the idle men.

Q. Does the number seem to be few?

A. Yes, but it is enough to make anyone worry; we would like to see every man in the prison engaged in learning a trade or producing goods.

Q. Do you mean to say that the men are continuously employed for four out of the eight hours?

Q. They are employed for a longer time when they are out of their cells, of course there are breaks in the hours of baths, sleeping, etc.

Q. How many trade instructors have you?

A. The foremen are all trade instructors. They are men who passed the civil service examination.

Q. You have a sufficient number to teach the men thoroughly?

A. Yes; we have 17 of them.

Q. What men do you teach trades to?

A. When a man comes into the prison he is examined as to what he has been employed at outside; if he has had an opportunity of using carpenter's tools, he is placed in the cabinet shop and placed along with some men who have been working for some time on cabinet work; if he has had experience in iron works he is placed in the bed shop, where the tools are and if in the laundry he is placed in the brass or iron foundry.

Q. Do you consider the individual welfare rather than the product of your shops?

A. We have felt the product is a secondary consideration; the first consideration is to keep the men employed and keep them from brooding over their crimes.

Q. May I ask who the idle men are—the 160?

A. The idle are those transferred recently from Sing Sing and "C" and "D" men who are unable to work. As fast as the term of the men in the industries expires and they are removed from the shops a new man from the idle company takes the place. We have probably 100 idle men from class "B."

Have you had any complaint from labor organizations?

A. No; I don't know that we have. I was in Albany when there was a complaint made to the Legislature in regard to sleeping, but never any complaint to us. I think that under the

A. I don't feel that there is any plan that can take a matter of such scope, that has to be governed by the individual; you have to reach each in a different way, some men you can inductively take up without saying a word and try to lead to a better way, and others you have to show the way.

Q. So far as you are aware, is there any special cause that has assisted you in this prison to start these great industries with so little expense, that is not in operation in other prisons?

A. My experience heretofore has been in handling a number of men; organizing work for men has helped me; I think that may have had something to do with it; a man coming into an institution of this kind must put his whole energy into it; if he is specially fitted for the work it helps him along.

Q. If other men were qualified at the other State prisons do you think, so far as you can see, that it would be perfectly practicable to start large industries without expense to the State?

A. I do not see why other men could not do as much as we have done here.

Q. Do you think it could be done without any cost to the State at the three prisons?

A. Yes, and carry them on successfully.

Q. Will you kindly give us your idea, in general terms, of how a prison should be run?

A. My theory is that a prison should never be in the centre of a city; if I had the money I should have a large farm and I could raise all the produce for the maintenance of the prison, beside having workshops; it would not be right in the centre of a city, subject to other influences that a prison brings; I would not allow my men to be taken in after discharge by what is here known as the "bridge gang," a crowd of toughs who meet the

men upon their discharge and proceed to spend their money and fill them up with liquor; I would have better and larger cells.

Q. Would you have one building?

A. No, I would have different buildings; I would have a prison a reformatory strictly; I would have different buildings for different grades of criminals; I would treat the criminal in some degree as I would insane; I think, to a large extent, crime is a disease; I think that crime can often be traced to other generations.

Q. Do you think this farm prison could be conducted and operated in such a way as to cause no expense to the State of any kind?

A. I am not sure as to that, but the cost must be reduced to a minimum; I would have in my prison a system of parole; I would give every man a chance to win his freedom; I think in many cases here in this prison there are men whose greatest punishment was standing up before the judge and receiving the sentence; I know of one case where a convict told me—he was a man above the average; I said to him: “How in the world did you come to prison; what do you think of it?” He said to me: “My punishment was when I stood up before the judge, and to think that I, brought up as I was, should ever descend to the place of a common criminal, to be sentenced to prison.” We believe that the Prison Law should be changed; that it would be best for such a man to be paroled. That man to-day is occupying a very important position at his home and is trusted by everybody. It was wrong to keep a man of that character in prison.

Q. You are a believer in the indeterminate sentence?

A. I am, strongly.

Q. Do you also believe in cumulative system?

A. I don't know as to that.

Q. You do not think that a man's term should be dependent on his character, rather than his offence?

A. Yes.

Q. Then, for a repeated offence of the same kind, you would give that man a more severe sentence?

A. Yes.

As the whole system of labor in Auburn Prison has been inaugurated and carried on with the full approbation of the warden, and with the acquiescence of the Department of Prisons with a view to make reformation the dominant idea, and fitness for success in outside life the controlling thought, and the labor has been carried on and more profitably than in any other prison, Mr. Hall's comment as above, as well as his opinion on this and other prison matter is of the highest possible value.

CLINTON PRISON.

The conditions of the prison labor at Dannemora Prison were much the same as at Sing Sing.

In the testimony of Warden Dobie, it appears that the same conditions of idleness and industry are at this prison, as at Sing Sing.

Q. What proportion of the men in the prison are idle?

A. I will have to take our labor report to show that.

Q. You can show in a general way?

A. They are most all employed at something.

Q. We saw a good many men who were apparently idle?

A. It happens to be so because the particular thing they are working on is not in demand.

Q. How often is that likely to happen?

A. There are certain seasons of the year when they have a little stock ahead and want to sell, and do not want to manufacture more.

Q. That makes idle men; do you suppose one-half of the population work one-half of the time?

A. I think so.

Q. Do you think two-thirds of the time; take the whole population the whole time?

A. I don't know but they do.

By Mr. Ward:

Q. How about one-third of the time?

A. I think they work more than that.

Q. Much more?

A. That is a mere guess,

By Mr. Round:

Q. The conditions under which a portion of them are idle are likely to be permanent?

A. No, sir; the conditions are such as to come up when orders do not come in.

Q. Those are the conditions that they are working under now; there may be orders at any time?

A. Yes, sir; if the public institutions all over the State bought, all would be busy all the time.

Q. Then we find one-third unemployed under conditions that may exist the whole time?

A. Yes; I have got here a statement made daily.

Q. Of to-day?

A. Yes, sir. (Copy of daily statement shown.)

I find in to-day's schedule that you have given us marked Dannemora exhibit A, December 13, 1899, that there were 269

are employed in all departments; there are 138 put down as learners and idle; is that 138 to be deducted from the 269. There are 397 in the various shops, 138 learners and idle, leaving 269 actually engaged in the productive industries of the prison.

Q. According as they worked to-day.

A. The entire census of the prison is what?

Q. Nine hundred and sixty-seven.

A. That is about one-third who are actually employed, not counting the learners; the learners are 32 in number; then the estimate of one-third employed would be about right.

Q. I was only guessing at it; there is a large shop breaking stone; there is a lot working outside?

A. During hours that they are in the shops, how large a portion of that time in the shop do you consider they are actually at work or merely sitting at their tasks?

Q. If there is any work for them to do they work all the time.

A. For instance to-day?

Q. I guess to-day half are not working.

A. When a man is put down as working does that mean that he works eight hours a day?

Q. I don't believe any work eight hours.

A. What time, in your judgment, would they work?

Q. I don't believe more than six hours.

A. That is your judgment, that they would average as much as six hours, those who are working and set down in the industries?

Q. I think so.

A. Do you consider to-day roughly speaking fair average to the whole thing?

Q. I think it is a little under.

The testimony throughout showed that in neither Sing Sing nor Alcatraz are the men made to understand that they are to

work to the full extent of their energy, as for instance at Sing Sing, in the testimony of convict Ward, who was bookkeeper in the stone shop while working in Sing Sing prison and since transferred to Auburn.

Q. Do you think the men prefer to be employed?

A. I think the majority of them did.

Q. In the stone shop, so far as your experience is concerned what proportion of the time were they employed, how many hours a day?

A. They were not compelled to work fast. If he worked steadily and satisfactorily he was not urged to work fast.

Q. Under these circumstances do you think the men so employed did not take so much interest in their work?

A. They do not. One day they do 100 square feet of stones, one 23 feet according as they feel.

Q. Does the work fit them to earn their own living on the outside?

A. No; I don't think it would fit them to work on the outside.

Q. Was there any effort made to fit them to work on the outside?

A. No.

Q. What did you do there?

A. I was bookkeeper and made out the labor report and kept track of what stone was done; I kept a book for each day's work.

Q. From your memory can you tell us the number of cubic feet cut there in a day or a month?

A. They averaged for the month of August, about 60 square feet a day.

Q. What would be a fair average for a shop of 70 men, facing stone already cut, a day?

A. I know some there who could do more than others. I have no idea of stone cutting myself and don't know what the requirements are for facing.

Q. A man could not learn stone cutting there?

A. No.

Q. Suppose a man in your shop wanted to learn the trade, he could not be permitted to go to a first grade shop to learn it?

A. No; they had to do their work and had no chance to go up by promotion.

The same thing will be noticed in the testimony of John P. Towers, superintendent of industries at Dannemora prison.

He admitted repeatedly that the labor was liable to fluctuation, and that at any time the men might be thrown out of work through lack of orders and sometimes from lack of material, and hindrance due to transportation. He testified as follows:—

Q. A great number of men in the shops are idle, what do you attribute that to?

A. Lack of orders.

Q. That is about the average condition of things?

A. Yes, sir.

By Dr. Stokes:

Q. About what is the amount of work being done in the shops now as compared with the average in the past twelve months?

A. There is comparatively little or nothing done in our shops now; we are simply filling up a few odds and ends; we have stock on hand, and we are doing just enough to keep the men from sitting down.

Q. As a matter of fact how much work does each man get in actually?

A. If each man was employed in our shops they could put up all the work in two hours.

Q. Two hours?

A. Yes, sir.

Q. How long has it been since the men have been idle, since they have been lacking in work?

A. About six weeks.

Q. For the past six weeks the men have had only work enough to keep them employed two hours a day?

A. Yes, sir; except the spinning shop; we are putting up a stock of yarn.

Q. How many men in the spinning shop?

A. I think it is fifty.

Mr. Powers testified that until six weeks ago the men have been working seven hours a day.

Q. In working the seven hours a day until six weeks ago, did the work which they accomplished compare as regards quantity and value with the work that free laborers could have been completed in the same number of hours a day?

A. Free labor would have, with the same number of men, produced forty per cent. more.

Q. This prison's partial cessation of industries, is it from present indications likely to continue for some time? What is the outlook?

A. I could not say what the outlook is.

Q. So far as you are aware there is no reason for believing that the average man in the industries will have very much more work to do per day for the next six months?

A. I can say for four or five months, until we get the spring trade.

Q. The falling off is due to what?

A. Lack of orders.

Q. In what departments?

A. In all departments.

Q. Do you, in your official duties, have any responsibility as regards finding a market for prison products?

A. No, sir; the only time that occurred was when we had knitted items which were a novelty and were not on the catalogue, and made a trip to all the hospitals in the State, and I am proud to say that we were quite successful.

Q. What industries are there in this prison to-day?

A. Knitting industry, spinning industry, tin industry, shirt and thing industry, weaving, baskets and mats, that is all.

The testimony of several prisoners was taken, indicating that they had learned their trades from other prisoners more often than from the instructors, and none of them expressed an intention of following the same industry when he was released from prison.

Prison Labor and Classification.

Regarding prison labor in its relation to classification it will be well to look at the law which is supposed to cover the whole matter. It is as follows:

"The labor of the prisoners of the first grade in each of the prisons, reformatories and penitentiaries shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment, as the primary or sole object of such labor, and the prisoners of the first grade may be so employed at hard labor for industrial training and instruction solely, even though no useful or salable products result from their labor, but only in case such industrial training and instruction can be more effectually given in such matter otherwise, and, so far as is consistent with the primary object of the labor of such prisoners, shall be so directed as to produce the greatest amount of useful products, articles and supplies needed and used in the said institutions, and in the buildings and offices of the State, or those of any political divisions thereof, or in any public institution owned or managed and controlled by the State or any political division thereof, or said labor may be for the State or any political division thereof.

The labor of the prisoners of the second grade of said prisons, reformatories and penitentiaries shall be directed primarily to labor for the State or any political division thereof, or to the production and manufacture of useful articles and supplies for said institutions, or for any public institution owned or managed and controlled by the State, or any political division thereof.

The labor of the prisoners of the third grade shall be directed to such exercise and shall tend to the preservation of health, or they shall be employed in labor for the State, or a political division thereof, or in the manufacture of such useful articles and supplies are needed and used in said institutions and in the public institutions owned or managed and controlled by the State or any political division thereof."

By the system of classification now in vogue there appears to be very little relation between the labor in the prison and the four classes designated.

The classification is based solely on the number of convictions without regard to the criminal character of the prisoner. Sing Sing Prison is supposed to be given over to the necessities or grade "A," who are sentenced on the first conviction of a felony. The prison contains 959 such men; 98 of grade "B," who have been twice convicted, and grade "C," 66, who have been three times convicted.

A man may have led the worst kind of life, having criminal tendency ingrained for years, may have been known to have been criminal, and yet be placed in the first grade or grade "A" simply because a record of his convictions is not at hand, or that he has escaped conviction on technical charges, where his guilt was morally certain.

Neither in Sing Sing nor in Dannemora does it appear by the evidence that the grades are rigorously kept apart, or that labor is shaped to suit the intent of the law, even with this meagre attempt at gradation. No great attention is paid to the law requiring those in grade "A" to be specially fitted to earn a livelihood after their release from prison. It is repeatedly shown in the testimony of the wardens and other officers that men in

grades "B" and "C" have equal chance at learning trades as those given to grade "A," whereas the evidence shows plainly that there is not a sufficient amount of labor in the prisons to occupy the men one-third of the time required of laborers outside. No effort, apparently, has been made to establish manual training schools or grade schools or other educational methods, with the single exception of the school of design at Sing Sing.

It must be said, however, that at Auburn Prison there is a consideration of the fact that men are not likely to be good citizens until they have the inclination and ability to earn a livelihood, and they are stimulated to acquire both. While the intention of the law is excellent, its spirit is violated.

There has been ample opportunity since 1897 to have put in practice, a complete scheme for industrial training. It is shown by the evidence, and by observation outside of the prisons, that in something more than a majority of cases men follow their own trades rather than those they have learned in prison, and are much more likely to go back to trades and occupations that they had known previously to their prison life, and which may have had much to do with their presence in the criminal class.

LABOR IN ITS RELATION TO THE MARKETS.

When the constitutional amendment was agreed upon, it was not at all plain that it would provide adequate labor in the prisons for their support, and for the purposes of discipline, in supplying the other institutions of the State with manufactured articles that they should require. It was supposed that it would do away with unfair competition with the outside labor in the various industries that might be introduced into the prisons. It has been left with the Prison Commission to lay plans, and the Department of Prisons has had power and authority to execute with all

conditions that have been asked and granted since 1897, when the last of the old prison contracts expired. It is shown that this Department does not adequately employ the prisoners one-third of the time; that it has simply developed a system of labor on the public-account system, with the greater restricted market, and in proportion as the market is restricted, the competition has been decreased.

According to the testimony of various experts who have been examined, the system is a complicated one; placing the responsibility with the Department of Prisons, who must follow out the commendations of the Prison Commission, which is not itself responsible for results.

It is shown that a great deal of the law is a dead letter, the Attorney-General says one thing and the charter says another, and no articles manufactured in the prison shop can be purchased by the State or political division thereof unless the State superintendent of prisons shall certify, etc., naming the conditions which makes evasion possible.

Mr. Frederick H. Mills, who has had large experience, and had much to do with the development of the general scheme of prison labor and who represents the department of prisons, in his evidence, says that unless the institutions of the State are compelled by a penalty to purchase supplies of the prisons that the system may be reckoned a failure. At Dannemora, where the men are not working certainly more than one-third of the time, the knitting department there is a stock already accumulated, valued at \$40,000. It will certainly prevent labor in this particular industry during the ordinary demand of another season, in the meanwhile the stock depreciating in value by being stored. Notwithstanding representations that have been made to the

contrary, purchasers of prison made goods have been dissatisfied in many instances with the quality of the prison goods and with the price. According to the testimony of Mr. Cook there has been a delay in furnishing orders by various decisions of the court touching one department or another which has been accustomed to purchase from the prison, and there is no prospect whatever of the condition being bettered.

As to the quality of prison made goods, a mass of evidence has been accumulated by your committee. A letter was sent out to various institutions and departments of county, town and State governments on the 27th of November, who had purchased from Sing Sing Prison, as follows:

"We understand that you have purchased goods that were manufactured in Sing Sing Prison.

Will you kindly give us your opinion as to the comparative value of these goods quality, etc., that is, if they were quite up to the standard of the same grade of goods purchased elsewhere?"

In the matter of replies we beg leave to submit the following:

[From the Supt. of Poor, Saratoga Co.]

The quality of the goods were fully up to the standard, but prices are a little higher than I can get them elsewhere. No fault to find with the quality, shoes especially, but in price.

[Board of Education, Schenectady, N. Y.]

The desks and baskets were of most excellent quality. The brooms were decidedly inferior.

[Sheriff of Queens County.]

I beg leave to state that in buying prison goods our experience has not been altogether satisfactory. We think we could get better goods for less money in the open market.

[Long Island Hospital.]

We have found the articles to be well made, of good material, the only possible fault is that they lack the finish which is usually given to articles which are manufactured and placed on the open market.

[Binghamton State Hospital.]

In reply, I would say that at the conference between the State hospital superintendents and the State Commission in Lunacy, held in Albany, November 28th, several representatives of the prison were present and the quality of prison made goods was freely discussed. The opinion expressed by the superintendents generally, and concurred in by me, that many of the articles made in the prison and furnished to the State hospitals were not equal in quality to articles of the kind purchased in the open market. The prices of prison made goods in a number of important instances appeared to be higher than in the general market for goods of similar grade. I might mention the prices of iron beds, recently quoted by the prison department. It appears that we are now required to pay \$5.70 for a bed that can be bought for less money in the open market. I would also mention tin ware. The workmanship in the manufacture of such articles as milk cans has in many instances been found so poor that we have been obliged to go over the seams of the cans with soldering iron before they could be used at all. As regards prison made cloth, I am glad to state that there has been a vast improvement in the quality furnished. For a long time it was exceedingly poor and the colors were not fast.

[Superintendent of Poor, Albany County.]

The goods that I have bought of the State Prison Commission are *not* up to the standard either in *quality* or *price*. I can do

much better and *know* what I am getting of our own home merchants. To be obliged to buy from catalogue is a very *unsatisfactory* way of purchasing supplies for our institution. (*The words underscored are those of the writer of the letter.*)

[Department of Excise, State of New York.]

We have several prison made cabinet index cases, which do not seem to be as well made and are not as satisfactory as those previously furnished by specialty company.

[Commissioners of Highway, Borough of Manhattan.]

The commissioners desire me to say that the street brooms furnished by the State Prison Department were greatly inferior to those purchased in open market, and the State prison authorities eventually stated that they were unable to furnish brooms of the quality required by this Department.

[Engineering Department, Aqueduct.]

We do not find as a rule that goods bought by us from the prison are up to the ordinary standard. Care should be taken to improve the quality or a law compelling municipalities to purchase these goods should be repealed.

[Supt. of Poor, Monroe County.]

The men's clothing (suits) has seemed to us to be of good value, and I am about to order quite a quantity. Those made in Auburn, I may say that their blanket for \$2.35 was very satisfactory, price and quality, but the crash that was good was too high in price and when the price was right, it was too coarse. All things considered, it is more satisfactory, price and quality combined, to buy at home were it not for complying with the law.

There is great amount of evidence of similar character. There are some letters which expressed satisfaction with goods made in the prison, but there is an immense amount of criticism as to the value and finish of prison made goods and as to prices. While some are in the position to purchase of prison department, others, doubtless who are managers of institutions preferred to favor their neighbors and those from whom they expect to ask favors. There is such a large volume of testimony against prison made goods and such persistent effort to evade the law on the slightest pretence that it cannot be said to be working harmoniously or effectively.

Much of the organization of the prison system has been under the direction of Mr. Frederick H. Mills, who is perhaps as able a man as could be found to solicit orders and one who from his experience is likely to inspire confidence. Clerks in these departments of labor at Sing Sing and at Dannemora testified that they thought it might be beneficial to employ a man to solicit orders, acting as agent for the prison department, but they could hardly have had a man of larger experience or greater efficiency than Mr. Mills. He has not succeeded in removing the conditions that we have indicated or in bringing in a large amount of business through the prison industries.

FINDINGS OF THE COMMITTEE.

In conclusion your committee finds:

As to the plants of the prisons, that at Sing Sing is badly arranged as to relation of buildings to each other, dangerous from fire, dangerous as to safety of officers, badly provided as to sanitary conveniences, overrun with vermin, without proper regard to cleanliness in the matter of bedding, and the faults of

without proper consideration of the warden. The tone of discipline in Sing Sing was decidedly lax, which may have been due to the recent fire in some degree. The tone seemed excellent at Auburn and Dannemora, not so bad as in Sing Sing and not so good as in Auburn. There seems to be a proper regard to the law as to civil service requirements in the appointment of officers or their removal or promotion.

In the matter of classification there was no regard whatever paid to criminal character of the convict. The scheme is meagre and unsatisfactory. It is not helpful to the men who wish to reform or likely to have any remedial effect on the hardened criminal. It is not so planned as to have any considerable part in the prison discipline and is calculated to crush out all hope and ambition in those who have reached the third stage of imprisonment. It affords no incentive to improve while in prison and seems to be a makeshift plan to comply with the letter of the law without much consideration for its spirit. This in itself is arbitrary and the best thing that can be said of it, is that it is not rigidly enforced.

Your committee further finds as to the labor of the prisons; that the law requiring political divisions of the State to purchase of the prisons is evaded and as understood at present the system does not furnish a sufficient amount of labor to keep one-third of the prisoners employed in order to insure their support and accustom them to having habits of industry. The conditions existing are not likely to be better. The quality of the produce is not so invariably so good as those sold in the open market at similar prices. That the scheme of industries has failed to meet the requirements that was hoped for by the originators. The lack of labor in the prisons has had a baneful influence on the convicts, it has tended to insanity and to bad habits of life.

Q. Do you think two weeks is the longest time a **men could** ~~remain~~ **be** without serious physical deterioration?

A. Yes.

Q. What is your opinion of the dark cell as a punishment **sys-**
tem?

A. I think it has been successful here, in the absence of **any-**
thing else, but it does injure the men's physical and **mental**
safety.

Q. I understand you to say that, in your judgment, tuberculosis
is repeatedly developed in men as a result of their confinement in
the dark cells?

A. Yes.

Q. Furthermore, you have believed death to result in your **opin-**
ion, from the same confinement?

A. Yes, from repeated confinement in the dark cells.

Q. Has the repeated confinement in the dark cells, in your **judg-**
ment, been responsible for many men going insane?

A. Yes, in some cases.

Q. What other punishment would you prefer to use in the **case**
of men who are being continually confined in the dark cells?

A. The paddle.

Q. Do you think the paddle properly applied, is by far the **most**
humane?

A. Yes.

Q. Far less injurious to the men both physically and mentally?

A. Yes.

Q. In other words if your personal judgment were considered
in the matter, you would condemn the practice of confining a **man**
in a dark cell for more than a few days at a time and for **more**
than one or more terms?

A. Yes; in some cases the "jail" might be used to advantage, but men who are repeatedly sent to the "jail" for violation of rules do not care about the dark cell, and defy them, and I think the paddle would do them good and would not hurt them so much physically.

(Testimony of Dr. Julius D. Ransom, physician of Clinton Prison, relative to the evil of the dark-cell system, is very strikingly in accord with the above testimony of Dr. Gerin.)

The hospital facilities at Auburn Prison are exceedingly crude and inadequate. The hospital contains no operating room, all the operations being necessarily performed in one or other of the open wards, separated from the other patients merely by a low screen.

There is no adequate sterilizing plant and no laboratory available for microscopical or pathological work. The hospital possesses no microscope and has no adequate facilities for sterilizing surgical dressings or instruments.

There are no proper facilities whatever for the isolation of patients suffering from contagious diseases. The only semblance of an isolation ward possessed by the hospital is a small superstructure or attic on the roof of a wing of the main prison. Dr. Gerin testified that this superstructure or attic was "utterly insufficient for the accommodation of sick prisoners when cases of epidemic are threatened. This attic would accommodate twelve or fourteen; not over that."

In the words of Dr. Gerin (which, by the way, were in all essentials corroborated by the observations of the sub-committee) there is no steam there, or, rather, it is not sufficient; no provisions for nurses; it is simply an old room with beds and cots," with no facilities for providing meals for the patients and no accommodations for the nurses.

It was testified by Dr. Gerin, and the sub-committee believes, that a proper isolation ward is seriously needed. The only means of access to the present one is by the common staircase leading through one of the main prison wings, with four tiers of cells, all of which must be passed before the attic can be reached. No access of any kind can be had with this isolation room, either for patients or for attendants, except by this main prison staircase that is used in common by probably 400 prisoners.

To quote again from the testimony of Dr. Gerin:

Q. What is the physical condition of the isolation room?

A. It is fierce.

Q. Is it possible to keep it very clean or fairly free from excessive moisture?

A. I do not think it is possible to keep it dry or clean; it is dirty and seedy; if we had a case of smallpox today it would take thirty hours to get it in condition.

Q. Are there any facilities there for the preparation of prisoners' food?

A. No; you would have to be supplied from our hospital kitchen or other kitchen.

(Neither of the above kitchens are within 200 yards of the isolation room.)

Q. The only way the food could be brought there, practically speaking, would be through the main prison wing, and the attendant bringing the food through the infected ward would have to pass up and down those stairs, with considerable chance of carrying contagion or infection to other prisoners who might be in the neighborhood at the time?

A. Yes.

Q. At present do you think it would be practical to maintain and effect a blockade against disease of a virulent type, if such a disease should break out?

A. I would not say that it could be done.

Auburn Prison has no suitable observation cells where prisoners showing signs of insanity can be properly watched. As regards the general condition of the prisoners at Auburn, the entire committee noticed the abominable sallowness of complexion. Dr. Gerin testified that, in his judgment, this sallowness was due to the men getting insufficient exercise and fresh air. Being asked how many hours a day, under ordinary circumstances, the prisoners had in the open air, Dr. Gerin answered it varies. Sometimes an hour and a half and sometimes not at all, except when they go out with their buckets. He further testified that, so far as he knew, the men got no regular daily exercise, but they suffered much from headache and general malaise; that he attributed this largely to the insufficient ventilation in their cells.

Asked whether he did not think it would "improve the health of the men and increase their ruggedness if they were to have systematic exercise at regular hours for perhaps two hours each day," he replied, "yes, I think it would, very much."

In view of the testimony of the warden and superintendent of industries, to the effect that the men were needed in the shops only four or five hours a day, it would seem to the committee that the prisoners should be allowed more time for exercise in the open air.

(Testimony of Warden Mead and the testimony of Superintendent of Industries Hall.)

As regards the cells of the prison wing, they were found to be, as a rule, inadequately lighted. Good light in the cells would be of great advantage to the prisoners, but, under the present conditions, they are, in most cases, unable to read much without injury to their eyes. The warden has already begun to install

electric lights in the cells, but the work is temporarily abandoned owing to the insufficiency of money for the purpose.

Asked whether, in his opinion, the men commonly injured their eyes while reading in the prison light, Dr. Gerin replied: "Yes, I think the light is poor and indistinct, and I think it has a very bad effect on the eyes.

Of the bucket system as in use at Auburn Dr. Gerin spoke in unqualified condemnation. He characterized that system vicious, vile, horrible, and stated that the buckets, as the result of a great number of prisoners using them, tended to foul the air of the prison to a marked degree.

He further testified that he was of the opinion that the introduction of an earthen bucket, besides the regular bucket, would be of advantage; further stated that he believed the dirt, if applied to the contents of the regular bucket, would overcome the odor, and, furthermore, that he could see no objection to such an earthen bucket system if the prisoners were compelled to use the earth, and, on the other hand, such an earth bucket system would, in his opinion, be a distinct advantage.

At Sing Sing Prison there are at present no adequate hospital facilities, owing to the recent disastrous fire, which destroyed the new hospital structure.

At Clinton Prison the hospital is admirably equipped and maintained, but there is no suitable isolation ward for violently contagious cases.

The condition of the dark cells at Sing Sing and Clinton are approximately the same as at Auburn (above described) and, doubtless, have similar injurious effect on prisoners confined for long periods in them.

SUGGESTIONS FOR LEGISLATION.

In view of the above findings your committee most respectfully recommends and asks you to urge upon the Legislature or the authorities immediate legislation as follows:

As to the plant of the prisons such a law as will bring the inspection of prison buildings under the general State and local laws for building inspection and will forbid the proximity of engine rooms, kitchens, laundries and other dangerous buildings to be parts of the prisons occupied by prisoners.

Such laws as will bring the cells of prisons within the limitation of breathing space demanded for all other institutions and forbid the occupancy of cells by more than one prisoner, that will demand that a light be given sufficient in every prison cell for the prisoner to read during the hours of daylight and certain hours of the evening.

That the use of buckets for toilet purposes be prohibited in all prisons, and that plumbing be so arranged as not to be controllable from within the cells, an exception being made as to the abolition of buckets where a special closet is provided for them, which communicates directly with a ventilator, so that there is a constant current of air to carry off all odors.

That every prison be required to have a fully equipped fire department, consisting of mechanical and chemical apparatus, and that the officers and employees of every prison be required to be present and participate in a fire drill at regular frequent intervals, that the fire appliances in every prison be subject to the same inspection as in factories, lodging houses and other places where there is a special danger from fire.

Your committee further recommends that a law be passed which shall base classification on criminal character as otherwise indicated than merely by the number of convictions, and that the classification include the possibility of promotion as well as degradation.

Your committee further recommends that since the labor of the State under the present law is inadequate to provide continuous employment for the prisoners, that a series of trade schools be established in every prison in which such men shall be employed and instructed as have not sufficient knowledge of a trade to gain a living at the expiration of their term of imprisonment.

It recommends that schools be established at which the prisoners shall be required to attend until they can write a clear and intelligible letter, do ordinary sums in arithmetic, and in which they also shall be instructed in simple principles of citizenship and ethics, and that commutation shall be so arranged as to take into consideration progress in trade and in school.

In regards to prison labor, the committee expresses some doubt as to the right of the State to direct any political division thereof as to where and at what price it shall make purchases; advising such legislation as will provide such inducements to all institutions and to the political divisions of the State to purchase their supplies of the State prisons; that since by the evidence obtained it seemed that the prices are higher and the goods of inferior quality, than those sold in the outside market, and that there are delays and other inconveniences in purchasing of the prisons and that a rebate be authorized graded according to the amounts purchased as an inducement for the institutions to overlook these disadvantages; and, furthermore, that such legislation also be

d a market to any charitable or correctional
te acting under general or special charters,
stitutions are supported wholly or in large
from the people of the State that there be
on all goods purchased at the prisons.

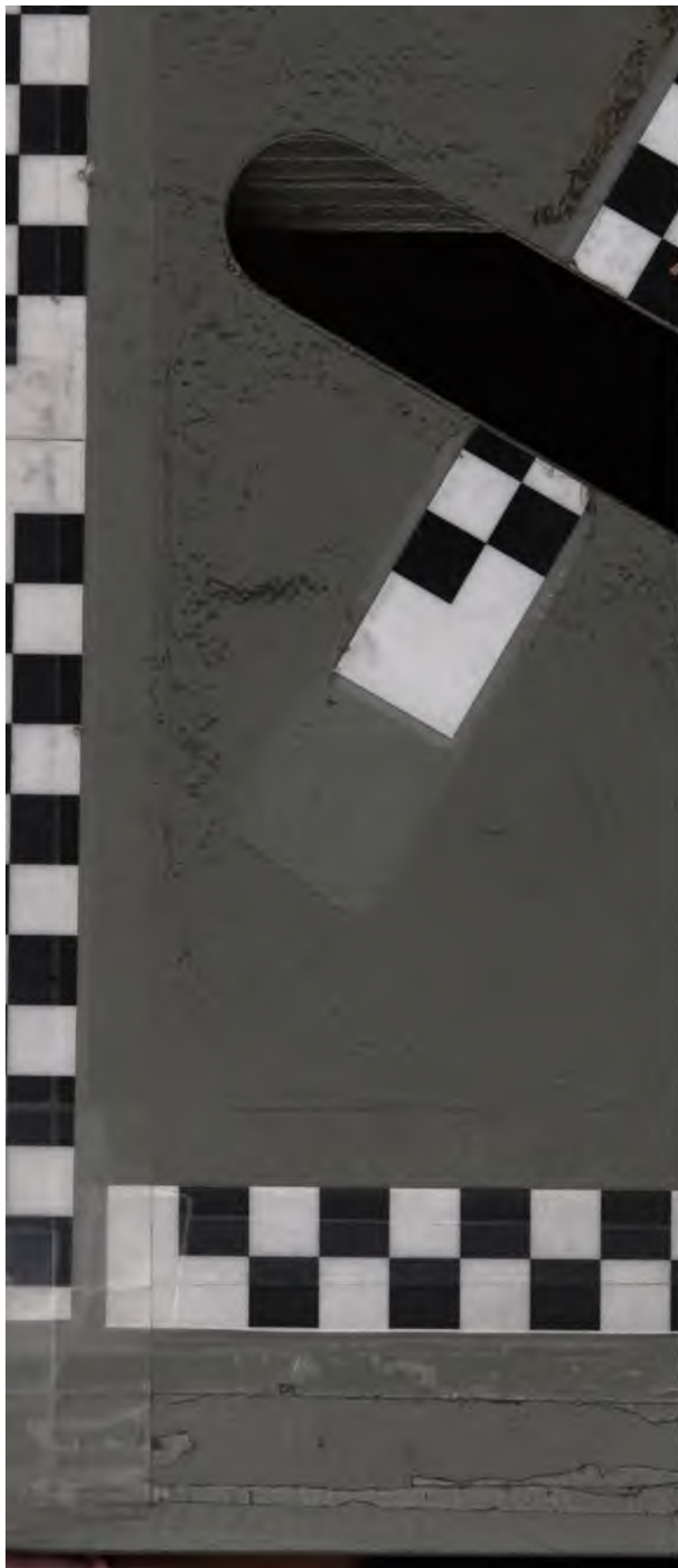
d) AUSTIN FLINT,
EUGENE SMITH,
F. P. BELLAMY,
J. SEELY WARD, JR.,
J. G. PHELPS STOKES,
J. MURRAY MITCHELL,
HENRY F. GREGORY.

WM. M. F. ROUND,

Secretary.







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STATE OF NEW YORK.

No. 44.

IN SENATE

MARCH 30, 1898.

FIFTY-THIRD ANNUAL REPORT

OF THE

Prison Association of New York for Year 1897.

PRISON ASSOCIATION OF NEW YORK,
No. 135 EAST FIFTEENTH STREET, NEW YORK CITY. }

2. *Timothy L. Woodruff, Lieutenant-Governor :*

ir.—In accordance with chapter 163 of the Laws of 1846, we
e the honor to present herewith the fifty-third annual report of
Prison Association of New York, and to respectfully request
you will lay the same before the Legislature.

Respectfully yours,

CHARLTON T. LEWIS,

President.

L. M. F. ROUND,

Corresponding Secretary.

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ice, Penn Yan.—Joseph F. Crosby, William F. Van Tuyl.

stitutions for Local Co-operative County Committees of the Prison Association of New York.

ommittees are expected to organize within one month after
ppointment, meeting at the call of one of their number to
gnated by the corresponding secretary of the association,
elect a chairman, secretary and treasurer.

ommittees are expected to have stated meetings at least
annually, and to keep the corresponding secretary informed
date of such regular meeting; should any special meeting
d, it is requested that notice of the same be given to the
l office.

3. Local committees are expected to inspect, at least twice a year, the jails, station-houses, prisons and penitentiaries in their respective counties, and to take cognizance of, and report at this office, as to the discipline, maintenance, moral and sanitary condition, and to promptly notify the corresponding secretary at other times of any failure on the part of the local authorities to comply with the laws as to the governance and keeping of prisoners, should such failure come to their knowledge. They are further expected to make such suggestions, from time to time, as will help the association to carry out the purposes for which it was organized.

4. They are, at the stated meetings, requested to give full discussion to any plans of The Prison Association that may be submitted to them by the executive committee, to estimate, as far as possible, the feeling of their respective neighborhoods regarding any such plans, and to help the association's work by creating a right public sentiment as to prison discipline and the criminal class.

5. They are requested to collect and forward to the office of The Prison Association such printed reports of local institutions as are obtainable, and such extracts from local publications as bear upon penological matters.

6. They are expected, by sub-committees, to see that suitable moral and religious instruction is provided in the jails, to collect and distribute reading matter to prisoners, to investigate complaints of ill-usage, to report to this office the cases of such as seem unjustly accused, or badly treated.

7. It is the purpose of the Prison Association to hold at least one public meeting within each two years in every

of the State, and the local committees are expected to secure the co-operation of clergymen and others in making arrangements for such a meeting.

It is most urgently requested that each county committee do its utmost to increase the membership of the association, and aid in extending its influence.

Committees are requested to send annually to the association a list of the names of the prominent citizens of their respective counties, to whom the reports and miscellaneous documents of the association may be sent.

It is the policy of The Prison Association, and has been from its organization, to secure reforms and the correction of evils — so far as it can be done — through the co-operation of the public. The local committees, are, therefore, so far as they are able, to represent the association, expected to cultivate relations of mutual helpfulness with sheriffs and jailors, and to aid them in every way possible, in the promotion of right discipline in the city institutions.

Local committees can greatly aid the executive committee of the society by reporting to the office of the association the names of any in their respective neighborhoods who are willing to employ discharged convicts who give satisfactory evidence of a desire to reform. They are also requested to furnish the names of those who employ skilled or unskilled labor, in order that communication may be made with them from this office.

They are urged to secure as large a local observance as possible of Prison Sunday (usually the last Sunday in October), and to send printed reports of such observance to this office for

13. Through sub-committees to give such counsel and help as they are able to prisoners discharged from the local correctional and penal institutions.

These suggestions are printed here, not only for the benefit of the local committees themselves, but to indicate to others the special forms of helpfulness which they render in carrying on the work of the association. Through them it reaches every county in the State as a vital and ever-present force.

In making up the annual report (to November 1st of each year), it is desirable that the reports of county committees be sent in as early as November 15th, and in order to facilitate filing, it is requested that they be written on foolscap paper, and on one side of the sheet only.

Committees will confer a favor by notifying the undersigned at once of any changes in their organization.

Without wishing to dictate as to the time for the stated meetings of local committees, the corresponding secretary would beg leave to suggest that these meetings be held early in October and May.

We specially hope that during the coming year you will secure the introduction of some systematic labor into your county jails.

We have undertaken to collect a library for every county jail in the State, where the county authorities or our own committees will guarantee that the books will be properly cared for. Will you confer with your county authorities in this matter? A book-case must be provided and someone designated who will take care of the library.

W. M. F. ROUND,

Cor. Sec. P. A., N. Y.

Dr's Account for the Year Ending October 31, 1897.

Dr.

| | |
|--|------------|
| ..... | \$4,997 65 |
| State Reformatory..... | 1,200 00 |
| ate of Clarissa L. Crane..... | 500 00 |
| ..... | 568 70 |
| estimate and Apportionment..... | 300 00 |
| Mechanics' National Bank October 31, 1896. | 396 40 |
| | <hr/> |
| | \$7,962 75 |
| | <hr/> |

Cr.

| | |
|---|------------|
| f agency in New York city for discharged | |
| nd persons under arrest..... | \$2,883 28 |
| f State organization, prison and jail inspec- | |
| county work | 3,834 87 |
| r rent, and insurance on 135 East Fifteenth | |
| ..... | 304 40 |
| \$4,000 mortgage on 135 East Fifteenth | |
| ..... | 100 00 |
| nses | 100 74 |
| f Mechanics' National Bank October 31, 1897. | 739 46 |
| | <hr/> |
| | \$7,692 75 |
| | <hr/> |

CORNELIUS B. GOLD,

Treasurer.

We certify that we have examined the accounts and vouchers of Cornelius B. Gold, treasurer, and find them correct.

SAMUEL MACAULEY JACKSON,

W. M. F. ROUND,

Auditing Committee.

DONATIONS.

| | |
|--|---------|
| Mrs. David Dows | \$10 00 |
| Wm. Iselin & Co..... | 10 00 |
| Wm. G. Low | 20 00 |
| Chas. T. Cook | 25 00 |
| Rev. Lyman Cobb, Jr..... | 5 00 |
| J. R. Planten | 10 00 |
| Mrs. Wm. E. Dodge..... | 10 00 |
| Rev. D. Stuart Dodge..... | 25 00 |
| Geo. W. Plunkitt | 10 00 |
| Elbridge T. Gerry | 25 00 |
| James C. Reed | 10 00 |
| Geo. C. Rand | 25 00 |
| Jacob H. Schiff | 25 00 |
| Grace Church, New York city, collection..... | 155 63 |
| R. M. Olyphant..... | 10 00 |
| C. H. Coster..... | 25 00 |
| J. B. C. "In memoriam"..... | 10 00 |
| Henry Hun | 5 00 |
| James Rufus Smith..... | 10 00 |
| John J. McCook..... | 10 00 |
| Mrs. Helen L. Deas..... | 5 00 |
| Mrs. J. Pierpont Morgan..... | 10 00 |
| F. R. Coudert..... | 5 00 |
| Robt. A. Pinkerton..... | 10 00 |

| | |
|---|---------|
| H. Hubbard..... | \$20 00 |
| ..... | 1 00 |
| Moir..... | 25 00 |
| ller..... | 10 00 |
| Keteltas..... | 25 00 |
| owning..... | 25 00 |
| oodwin..... | 25 00 |
| illets..... | 10 00 |
| lpin..... | 25 00 |
| Macy..... | 10 00 |
| ord White..... | 10 00 |
| Zimmerman..... | 10 00 |
| te | 25 00 |
| n Dix..... | 10 00 |
| ning..... | 10 00 |
| N. Crane..... | 10 00 |
| T. Carter..... | 10 00 |
| Baptist Church of Christ, New York city,
l | 9 02 |
| cCagg..... | 10 00 |
| Witherbee..... | 15 00 |
| ot..... | 5 00 |
| T. Terry..... | 10 00 |
| Gibson..... | 5 00 |
| away..... | 10 00 |
| benstine..... | 20 00 |
| W. Minturn..... | 10 00 |
| nnedy..... | 100 00 |
| Ewen..... | 10 00 |

| | |
|--|----------------|
| Alfred DeWitt | \$10 00 |
| Mrs. A. L. Eastman | 5 00 |
| Dr. William T. Lusk | 5 00 |
| Stamford Manufacturing Co. | 10 00 |
| Dr. Austin Flint | 25 00 |
| C. S. | 25 00 |
| S. E. W., London | 100 00 |
| M. Bayard Brown | 250 00 |
| Dr. Benjamin Lord | 10 00 |
| George Blumenthal | 15 00 |
| Dr. J. Morgan Howe | 5 00 |
| A. M. Hoyt | 10 00 |
| H. G. Marquand | 5 00 |
| Mrs. John Wagner | 5 00 |
| Adrian Iselin | 100 00 |
| Mrs. A. E. Breese | 10 00 |
| Mrs. Edwin Parsons | 5 00 |
| General John Cochrane | 5 00 |
| Wm. R. Stewart | 10 00 |
| Mrs. E. S. Van Winkle | 10 00 |
| Mary Louise Warren (supplement to Grace Church, N.
Y. collection) | 5 00 |
| John Murray Mitchell | 25 00 |
| Annie L. Merriam | 5 00 |
| Alfred L. Beebe | 5 00 |
| Mrs. W. H. Osborn | 10 00 |
| Miss E. S. Van Winkle | 10 00 |
| Egerton L. Winthrop | 25 00 |
| O. D. Munn | 5 00 |
| Henry Holt | 10 00 |

PRISON ASSOCIATION OF NEW YORK.

33

| | |
|--------------------|--------|
| ..... | \$2 00 |
| ..... | 5 00 |
| dt..... | 10 00 |
| Robb..... | 25 00 |
| Turner Powers..... | 5 00 |
| her | 10 00 |
| mson..... | 10 00 |
| lams..... | 5 00 |
| anderpoel..... | 5 00 |
| wdin | 5 00 |
| y..... | 10 00 |
| thout..... | 10 00 |
| ..... | 10 00 |
| Southworth..... | 100 00 |
| erkins..... | 10 00 |
| nan..... | 10 00 |
| arsell..... | 8 00 |
| ..... | 25 00 |
| dge..... | 10 00 |
| '..... | 10 00 |
| rence, Jr..... | 10 00 |
| ..... | 10 00 |
| G. Strong..... | 10 00 |
| abriskie..... | 50 00 |
| | 25 00 |
| man..... | 10 00 |
| urgh | 10 00 |
| braper..... | 10 00 |
| eelock..... | 10 00 |

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|--------------------------------|---------|--|
| Miss Georgiana Kendall | \$10 00 | |
| Very Rev. E. A. Hoffman..... | 10 00 | |
| Pomroy Bros | 10 00 | |
| Mrs. W. A. Cauldwell..... | 10 00 | |
| H. C. Schwab..... | 10 00 | |
| Mrs. Titus B. Meigs..... | 5 00 | |
| Woodbury G. Langdon..... | 10 00 | |
| Rev. Wendell Prime..... | 100 00 | |
| Henry Villard | 50 00 | |
| Mrs. Elizabeth Lynes..... | 10 00 | |
| Samuel M. Jackson..... | 20 00 | |
| Hon. Chas. P. Daly..... | 10 00 | |
| Johnston Livingston | 10 00 | |
| Thos. G. Shearman..... | 10 00 | |
| H. J. Hayden..... | 25 00 | |
| W. H. Draper..... | 5 00 | |
| James Kyle & Son..... | 5 00 | |
| John B. Ireland..... | 10 00 | |
| Miss Ellen Collins..... | 10 00 | |
| George A. Clark & Brother..... | 10 00 | |
| Clarence M. Hyde..... | 100 00 | |
| Mrs. Augusta B. Stover..... | 5 00 | |
| Mrs. Robert M. Maxwell..... | 10 00 | |
| Mrs. Garner | 10 00 | |
| Mrs. Anna C. Clinch..... | 10 00 | |
| Charles Allen Munn..... | 5 00 | |
| Vermilye & Co..... | 10 00 | |
| Mrs. John J. Cox..... | 10 00 | |
| James H. Benedict..... | 10 00 | |
| E. P. Dutton..... | 10 00 | |

| | |
|---------------------|--------|
| ennerich | \$3 00 |
| . Foote..... | 2 00 |
| tt Foster..... | 10 00 |
| E. Chisolm..... | 10 00 |
| M. Hyde..... | 10 00 |
| Bloodgood..... | 10 00 |
| eers..... | 10 00 |
| Wheeler Smith..... | 10 00 |
| . Moore..... | 25 00 |
| . B..... | 5 00 |
| H. Jackson..... | 10 00 |
| Blair Scribner..... | 20 00 |
| n Cutting..... | 25 00 |
| ouglass..... | 10 00 |
| ob Scholle..... | 5 00 |
| ainlan, Jr..... | 10 00 |
| eenough | 10 00 |
| F. Nagel..... | 5 00 |
| D. Auchincloss..... | 10 00 |
| friend..... | 25 00 |
| opold Stern..... | 2 00 |
| . L. Voorhis..... | 5 00 |
| Y. Mortimer..... | 50 00 |
| ther Herrman..... | 10 00 |
| elps Stokes..... | 25 00 |
| and | 10 00 |
| Milne | 10 00 |
| riend..... | 25 00 |
| ..... | 25 00 |
| Kellogg..... | 5 00 |

| | |
|--------------------------------|---------|
| Middleton & Co..... | \$10 00 |
| E. N. Lawrence..... | 20 00 |
| Mrs. James A. Edgar..... | 5 00 |
| Mrs. Isabella Jex..... | 5 00 |
| Mrs. D. B. Whitlock..... | 10 00 |
| Geo. L. Rives..... | 10 00 |
| A. B. Proal..... | 10 00 |
| Mrs. Gustav Schwab..... | 10 00 |
| Frederick Uhlmann | 10 00 |
| Mrs. Henry Talmadge..... | 5 00 |
| Charles Dana | 5 00 |
| Holbrook Manufacturing Co..... | 25 00 |
| Gino C. Speranza..... | 5 00 |
| Frank Dean | 10 00 |
| Julia L. Delafield..... | 10 00 |
| John E. Parsons..... | 10 00 |
| John B. Lawrence, Jr..... | 15 00 |
| Rev. Lyman Abbott..... | 5 00 |
| James J. Higginson..... | 10 00 |
| F. Merriam Wheeler..... | 10 00 |
| M. L. Delafield..... | 5 00 |
| Seth Low | 10 00 |
| Miss Louisa Lee Schuyler..... | 5 00 |
| Mrs. N. E. Baylies..... | 10 00 |
| J. W. Curtis..... | 100 00 |
| Robert S. Holt..... | 10 00 |
| R. H. L. Townsend..... | 10 00 |
| Gillis & Geoghegan..... | 10 00 |
| T. G. Sellew..... | 10 00 |
| James M. Constable..... | 10 00 |

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|---------------------|--------|
| ind..... | \$5 00 |
| Vetmore..... | 10 00 |
| den Chisolm..... | 50 00 |
| | 10 00 |
| an..... | 10 00 |
| Milbank..... | 50 00 |
| oulter..... | 10 00 |
| Lord..... | 10 00 |
| rd Thomas..... | 5 00 |
| Swan..... | 10 00 |
| ..... | 2 00 |
| F. Butterworth..... | 5 00 |
| dford..... | 10 00 |
| ..... | 10 00 |
| ard..... | 10 00 |
| ill..... | 10 00 |
| l..... | 10 00 |
| Campbell..... | 10 00 |
| senthal..... | 5 00 |
| emp..... | 5 00 |
| ott..... | 10 00 |
| man | 10 00 |
| n 2d..... | 10 00 |
| le Winthrop..... | 20 00 |
| lin..... | 5 00 |
| an Ingen..... | 10 00 |
| ..... | 10 00 |
| Opdyke..... | 5 00 |
| lexander..... | 10 00 |
| sons..... | 10 00 |

| | |
|------------------------------|---------|
| Rev. W. S. Rainsford..... | \$10 00 |
| Miss M. W. Miller..... | 10 00 |
| Wm. Openhym & Sons..... | 10 00 |
| E. D. Morgan..... | 10 00 |
| Mrs. M. M. Lanier..... | 20 00 |
| Samuel Riker | 10 00 |
| Mrs. Joseph W. Harper..... | 15 00 |
| Henry Heide | 10 00 |
| Mrs. J. H. Jacquelin..... | 10 00 |
| Morris K. Jesup..... | 50 00 |
| James M. Speers..... | 10 00 |
| F. P. Bellamy..... | 10 00 |
| Mrs. Edward C. Moore..... | 5 00 |
| Mrs. Edward N. Crosby..... | 5 00 |
| James Weir Mason..... | 5 00 |
| Wm. Hustace | 25 00 |
| John M. Carrere..... | 5 00 |
| Thomas Hastings | 5 00 |
| W. Stebbins Smith..... | 10 00 |
| Speyer & Co..... | 10 00 |
| R. K. P..... | 2 00 |
| A. Wolff | 10 00 |
| H. K. McHarg..... | 50 00 |
| Mrs. Laura Billings..... | 25 00 |
| Dr. Charles MacDowell..... | 5 00 |
| Cornelius B. Gold..... | 50 00 |
| Mrs. Frederick Billings..... | 25 00 |
| J. H. Alexandre..... | 10 00 |
| Frederick E. Hyde..... | 50 00 |
| Mrs. S. F. Sherman..... | 2 00 |

| | |
|----------------------|---------|
| R. Lyman..... | \$25 00 |
| Weeks..... | 50 00 |
| J. Meigs..... | 5 00 |
| L. Maitland..... | 10 00 |
| A. Guild..... | 5 00 |
| Milliken..... | 10 00 |
| Bogert..... | 100 00 |
| O'Connor..... | 25 00 |
| Henry Dormitzer..... | 10 00 |
| Al D. Babcock..... | 10 00 |
| Ed W. DeForest..... | 10 00 |
| Dodge..... | 25 00 |
| Avery..... | 10 00 |
| Ed Hanson..... | 10 00 |
| H..... | 1 00 |
| Ed G. Williams..... | 20 00 |
| S. McLean..... | 10 00 |
| Robert Hoe..... | 10 00 |
| H. D. Aldrich..... | 10 00 |
| Floyd..... | 10 00 |
| Susan B. Spring..... | 2 00 |
| G. Low..... | 20 00 |
| W. Henderson..... | 5 00 |
| Ed Cahn..... | 5 00 |
| Ed Thorne..... | 10 00 |
| Edney..... | 10 00 |
| Stickney..... | 10 00 |
| Edlin & Co..... | 10 00 |
| C. Brackett..... | 20 00 |
| "a friend"..... | 50 00 |

| | |
|----------------------------------|------------|
| Christ Church, Oswego, N. Y..... | \$9 00 |
| Arnold, Constable & Co..... | 25 00 |
| Anonymous..... | 2 00 |
| Lispenard Stewart..... | 100 00 |
| J. B. C. "In memoriam"..... | 10 00 |
| Miss Serena Rhinelander..... | 200 00 |
| | <hr/> |
| | \$4,997 65 |
| | <hr/> |

DONATIONS

Reported as received and disbursed by the corresponding secretary for special relief.

| | |
|----------------------------|----------|
| Johnes..... | \$25 00 |
| Mrs. Fish..... | 10 00 |
| H. L. Thornell..... | 5 00 |
| XXX cash..... | 10 00 |
| F. G. S..... | 10 00 |
| Zella Pauline Blakely..... | 5 00 |
| Mrs. John T. Terry..... | 5 00 |
| L. T. E..... | 5 00 |
| Esther W. Buxton..... | 5 00 |
| J. H. Brooklyn..... | 1 00 |
| Anonymous..... | 2 00 |
| M. A..... | 1 00 |
| R. W..... | 1 00 |
| Anonymous..... | 10 00 |
| E. H..... | 5 00 |
| M. K..... | 2 00 |
| Edna P. Waldron..... | 2 00 |
| | <hr/> |
| | \$104 00 |
| | <hr/> |

OTHER DONATIONS.

- J. Schultze, reading matter.
 rs. Frank & DuBois, clothing.
 C. R. Lowrey, reading matter.
 F. O. Boyd, clothing and reading matter.
 C. M. Felch, reading matter.
 Henry Dormitzer, reading matter.
 ge H. Raymond, clothing.
 Kendall, reading matter.
 nkers," reading matter.
 . Hyde, reading matter.
 nymous, reading matter.
 Clinch, reading matter.
 larburger, clothing and reading matter.
 ' J. Porter, reading matter.
 Dr. Howe, clothing.
 m C. Lobenstine, clothing.
 V. L. Payne, reading matter.
 d. Isaacs, reading matter.
 E. B. Holden, clothing.
 Glassford, clothing.
 E. Serre, clothing.
 F. Rowland, clothing.
 Zabriskie, clothing.
 Gardner, reading matter.
 C. H. Smith, reading matter.
 llivan, clothing and reading matter.
 E. B. Parmele, clothing and reading matter.
 Alice M. Hall, reading matter.
 J. W. Tiemann, clothing and reading matter.

F. G. Swan, clothing and reading matter.

Mrs. B. Robinson, reading matter.

Mrs. H. Loeb, reading matter.

Mrs. J. H. Jacquelin, clothing.

Mrs. Abram D. Higham, clothing.

J. H. Chadwick, reading matter.

Miss Pyne, reading matter.

Anonymous, clothing.

Mrs. Gardner, reading matter.

Mrs. E. A. Fuller, reading matter.

Miss H. A. Couch, clothing.

L. Godkin, clothing.

Mrs. Klatzl, clothing.

Needlework Guild of America, clothing.

Miss Avery, reading matter.

L. H. Ostendorff, Jr., reading matter.

Mrs. W. C. Noyes, reading matter.

Mrs. J. L. Chapin, reading matter.

Mrs. William McMurtrie, reading matter.

George Hall, reading matter.

Mrs. F. R. Sturgis, clothing.

Mrs. J. W. Taylor, clothing and reading matter.

C. W. Canfield, clothing.

H. C. Wells, reading matter.

Hospital Book and Newspaper Society, reading matter.

Anonymous, clothing.

Miss Avery, eight sewing-bags.

Mrs. L. Fisher, clothing.

E. M. Whitney, clothing.

John Dutton, clothing.

- F. Dolle, clothing.
- . Gillis, reading matter.
- nymous, Staten Island, clothing and reading matter.
- . H. Zuckerman, reading matter.
- . A. R. Carter, reading matter.
- . H. D. Auchincloss, reading matter.
- . J. R. Wolff, reading matter.
- . J. C. Cady, clothing and reading matter.
- . Spelman, reading matter.
- . Howard Clarkson.
- West Fifty-seventh street, reading matter.
- . Catlin, reading matter.
- T. Merkley, clothing.
- s. C. Y. Beach, reading matter.
- s. F. B. Arnold, clothing.
- s. Alexander Stevens, reading matter.
- om 624, Windsor Hotel, clothing.
- s. P. B. Jennings, reading matter.
- ss Elsie Button, reading matter.
- s. Hadden, clothing.
- s. Dickinson, reading matter.
- s. Koch, clothing.
- ssrs. Marcus Ward & Co., reading matter.
- s. E. B. Malcolmson, reading matter.
- B. Tompkins, clothing.
- s. J. N. A. Vanderpoel, clothing.
- M. Davison, clothing.
- ssrs. Wiebusch & Hilger, reading matter.
- urch Periodical Club, reading matter.
- ss H. Kendall, reading matter.

- Mrs. Gurnee, clothing.
- Mrs. G. B. Dusen, reading matter.
- Reginald Gordon, reading matter.
- W. P. Willis, reading matter.
- Mrs. Packard, clothing.
- Mrs. A. J. McIntosh, reading matter.
- Miss Van Buren, reading matter.
- Horace Holden, clothing.
- Miss Inglee, reading matter.
- R. W. Stevenson, reading matter.
- Miss M. D. Worcester, clothing.
- Anonymous, clothing.
- Mrs. F. B. Elliott, clothing and reading matter.
- Mrs. A. Wolf, reading matter.
- Mrs. L. H. Beers, clothing and reading matter.
- Miss Dentz, reading matter.
- Miss Preston, reading matter.
- Joseph Corbit, clothing.
- Mrs. Elizabeth W. White, seven sewing-bags.
- Mrs. D. T. Stevens, reading matter.
- Mrs. Mary M. Meeker, reading matter.
- Mrs. Fischer, clothing.
- Miss Eleanor Hendricks, reading matter.
- Mrs. L. Bolton Bangs, reading matter.
- Mrs. C. Irving, clothing.
- Mrs. M. E. Drake, reading matter.
- Mrs. E. Herrman, clothing.
- Mrs. Hitchcock, reading matter.
- Eben Sugden, clothing and reading matter.
- MEMBERS. Peter Henderson & Co., tools.

ing Post Job Printing Co., printing.
 throp Press, printing.
 ge C. Holt, clothing.
 iam R. Jenkins, clothing circulars with coupons.
 Lambert, reading matter.
 L. I. Hueston, secretary, reading matter.
 De Vinne Press, printing.
 J. G. Burchell, clothing.
 srs. L. H. Biglow & Co., printing.
 s Lulu Thompson, reading matter.
 George, S. I., clothing and reading matter.
 s J. L. Delafield, reading matter.
 W. Heroy, reading matter.
 C. W. Machen, clothing and reading matter.
 W. L. Crow, clothing.
 s A. E. Flint, reading matter.
 B. Frink, clothing.
 E. Currie, reading matter.
 s. White, reading matter.
 s. S. S. Monroe, clothing.
 L. H., clothing and reading matter.
 B. Gawtry, clothing.
 Wheeler Barnes, clothing.
 in A. Hamilton, clothing.
 . Everett, reading matter.
 M. North, clothing.
 s. G. A. Fuller, clothing.
 s. O. U. Vail, reading matter.
 e Berlin & Jones Envelope Co., envelopes.
 in A. Ely, clothing and reading matter.

Messrs. Lawson, Wolff & Co., reading matter.

2086 Fifth avenue, reading matter.

Mrs. M. Mack, reading matter.

Mrs. Fischer, clothing.

Mrs. Frank Koch, clothing.

Anonymous, clothing.

The Misses Kendall, reading matter.

Mrs. J. Rhodes, reading matter.

Mrs. H. Zuckerman, reading matter.

Miss Conway, reading matter.

Mrs. Barhydt, clothing.

40 East Seventieth street, reading matter.

Mrs. T. S. Strong, clothing and reading matter.

Edgar B. Van Winkle, clothing.

Charles A. Dards, clothing.

Dr. Henry Tuck, clothing.

Miss Van Amringe, reading matter.

A. K. Dierson, reading matter.

Mrs. Worthington, reading matter.

Charles E. D. Worcester, clothing.

W. H. Parsons, Jr., clothing.

Messrs. J. J. Little & Co., printing.

A Member of the Needlework Guild, clothing.

Miss Harper, reading matter.

Mrs. Knox, reading matter.

115 West Forty-seventh street, clothing.

Mrs. Winthrop, reading matter.

Dr. J. McE. Wetmore, clothing.

J. J. Slocum, clothing.

Mrs. Perry, reading matter.

C. D. Earle, reading matter.

ymous, clothing.

Clifton Wharton, reading matter.

Rogers, reading matter.

ymous, clothing and reading matter.

of A. Walker, clothing.

lesheimer, reading matter.

J. Delatour, lumber.

st Eighty-third street, reading matter.

' N. Wilson, reading matter.

att, reading matter.

ymous, clothing.

everly Robinson, reading matter.

Jefferson Hogan, clothing and reading matter.

S. G. Emerson, clothing.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

constitution may be amended by a vote of the majority of
y, at any meeting thereof, provided notice of the amend-
been given at the next preceding meeting.

icers selected for the current year, under the constitu-
l continue to be the officers thereof until others shall
hosen in their places.

is hereby further enacted that no manager of said so-
ll receive compensation for his services.

said executive committee shall have power to establish
use in the county of New York, and in their discretion,
e and take into the said workhouse all such persons as
taken up and committed as vagrants or disorderly per-
aid city, as the Court of General Sessions of the Peace,
ourt of Special Sessions, or the Court of Oyer and Ter-
said county, or any police magistrate, or the commis-
the almshouse may deem proper objects; and the said
committee shall have the same power to keep, detain,
nd govern the said persons as are now by law conferred
epers of the bridewell or penitentiary in said city.

said executive committee may, from time to time, make
ordinances and regulations relative to the management
osition of the estate and concerns of said association,
management, government, instruction, discipline and em-
of the persons so as aforesaid committed to the said
se, not contrary to law, as they may deem proper; and
oint such officers, agents and servants as they may deem
y to transact the business of the said association, and
gnate their duties. And the said executive committee
ke an annual report to the Legislature and to the cor-

poration of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most conducive to the reformation and amendment and future benefit and advantage of such person.

6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the action aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison

* See section 24.

made until an order for that purpose to be granted by the Chancellor of the State, or one of the judges of the Supreme Court by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be located shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the members of the said association, by whom the examination is to be made, and the time within which the same must be completed.

STATE OF NEW YORK.

IN SENATE, *May 8, 1846.*

After having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof, Resolved, That the bill do pass.

By order of the Senate.

A. GARDINER,

President.

STATE OF NEW YORK.

IN ASSEMBLY, *April 24, 1846.*

After having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof, Resolved, That the bill do pass.

By order of the Assembly.

A. C. CRAIN,

Speaker.

Passed, this 9th day of May, 1846.

SILAS WRIGHT.

SECRETARY'S OFFICE,
STATE OF NEW YORK,

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord, one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such report as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

* See section 20 in last revision.

By-laws of the Prison Association of New York.

There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be called on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, when made, state the business to be transacted at said meeting. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

The order of business at every stated meeting shall be as follows:

1. Reading and approval of the minutes of the last preceding meeting.

2. Report of treasurer.

3. Reports from standing committees.

4. Report from the corresponding secretary.

5. Reports from special committees.

6. Report from the general agent.

7. Miscellaneous business.

At a special meeting no other business shall be transacted than that which the said meeting was called.

The chairman shall appoint all special committees; and no member nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

The chairman shall decide all questions of order, subject to appeal; and the rules of order shall be those embodied in the Association's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measure for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

keep a record of all persons who will employ discharged and of their several occupations; to procure such employment for prisoners and applying therefor as seems best to the capacity of each; to hold correspondence with ; to keep a record of the conduct and prospects of those places have been obtained, that they may be sustained encouraged with the idea that a continued friendly interest for them.

secure suitable boarding places for discharged prisoners, they will not be exposed to corrupting influences, taking to have more than one in a place, where it can be

see that the prisoners are provided with suitable clothing of a kind that will not attract particular attention.

shall be the duty of the committee on prison discipline: attention to the internal organization and management of the prison, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reform-school labor, administration and internal police, comparison of different prison systems, visitation of prisons and of reformation, and the whole subject of criminal law and justice.

One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record in a book provided for that purpose, and to give due notice of the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, ex officio, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

Report of Executive Committee.

work of the Prison Association has, during 1897-98, been on usual lines, in conformity to all the conditions of the law.

Detail of its work will be found in the reports of its various departments and committees.

The Association has organized and conducted successfully a penitentiary exhibition and a series of conferences.

It has maintained a large foreign and domestic correspondence receiving much useful information regarding penological conditions and problems elsewhere: all of which will be of use in our work and suggestive as to legislation.

It has steadily increased its library; a catalogue of new books was published at the end of this report.

The Association has viewed, with great satisfaction, the success of the Auburn system, which it introduced into New York. The penitentiary bureau in the office of the Superintendent of State Prisons has been conducted with great skill, and prison officers have lent their best efforts in making the scheme a

THE STATE REFORMATORY.

The Association has viewed, with no little apprehension, the recent attack made on the indeterminate sentence principle, exemplified in the State reformatory at Elmira, and deplored that these attacks were founded on a simple suggestion in the Governor's message. The course taken by the Association

more efficient conduct of its disciplinary methods, but in our judgment the changes proposed in Mr. Featherson's bill are subversive of the whole theory upon which the reformatory rests.

FIRST.

The first section, amending section 9 of the act of 1897, requires the courts at the time of imposing sentence to fix a maximum term, instead of allowing the maximum to remain that fixed by general law. This, we believe, would be a step backward. Sound policy dictates a general law fixing the maximum of imprisonment, rather than individual judgment of a changing magistracy. The result of such a change would immediately be a lack of uniformity in the status of inmates of the reformatory coming from the different counties and judicial districts of the State. The proposed change is a recurrence pro tanto to the old theory that punishment by a term of imprisonment is merely in the nature of retribution inflicted for an offense. Experience has abundantly shown that the judges presiding at trials in criminal cases have no adequate means of determining the character and antecedents of the criminals convicted before them. It has also been amply demonstrated by experience that in multitudes of cases an offender committing a comparatively trivial offense, which would lead to the fixing of a very short maximum term, regarding the imprisonment as a mere penalty paid for the offense, is nevertheless a person of such a character, and so deficient in education, that a very considerable period of disciplinary treatment is absolutely essential to yield any practical results in the way of permanent reformation. Such an offender by committing the offense and by conviction of a crime, has forfeited his liberty for the period fixed by general law. Can the question whether this term should be abridged possibly be

l beforehand as efficaciously by a criminal magistrate, tried despatch of court business, as by a board of managed with the special duty of thoroughly investigating all instances, and with opportunity by actual test to discover character of the offender? Every thinking person concedes that the board is the best tribunal for determining what ought to be provided proper assurance can be given that such board composed of disinterested and impartial and intelligent men. Every change tending to assure improvement in this the administration of the reformatory, as before stated, merited approval. It is, however, our opinion, based upon study of the administration of the reformatory from its inception, that as a matter of fact this determination, made in every case, as to the time of detention, has been more satisfactory than such determinations by the criminal magistrates during this entire period. We believe that, on the average actual terms of detention in the Elmira reformatory have been for a shorter period than would have been fixed by the presiding criminal magistrates. If, however, the criminal magistrate were hereafter to fix the maximum term, we are persuaded that in multitudes of cases one of the chief incentives to good conduct on the part of inmates of the reformatory would be gone, namely, the incentive by such good conduct to shorten their term of imprisonment. We do not consider crime to be considered simply as a form of disease. It is unnecessary to enter into any discussion of the moral questions respecting the distinctions between criminality and other mental derangements. But, conceding crime to be, and not in any proper sense of the word simply a disease, the reformatory idea rests upon the demonstrated truths of the

proposition that certain classes of convicts can, as a matter of fact, be reclaimed by disciplinary treatment. It is only for this class of convicts that such institutions are established, and the attempt on the part of a magistrate at the time of imposing sentence to prescribe what time will be sufficient for the reclamation of such a convict is very much like the attempt of a court to limit the time in which an insane person shall be detained in an asylum. In this connection, we beg to remind the members of the committee that the provisions of the existing law as to the transfer of incorrigibles to the State prisons have been persistently misstated. Such prisoners so transferred still have the privilege of earning by good conduct in the State prisons the shortening of their maximum term. It is also to be continually borne in mind that the power of the Governor to pardon or commute sentences has never been abridged in any way by the provisions of the statutes applicable to this class of offenders.

SECOND.

The provisions of section 2 in Mr. Featherson's bill we regard as even more disastrous to the reformatory method of treatment. The proposed denial of the power to transfer apparently incorrigible prisoners would inevitably cripple the reformatory work of the institution. The fact that numerous prisoners of this class have been sent there serves to show the impossibility of having a careful determination of the character of convicts made by the committing magistrates. The knowledge on the part of inmates that they could not be transferred would remove one of the most potent incentives to serious effort on their part to profit by the disciplinary treatment of the institution.

posed changes in the section preventing the summary imprisonment of prisoners who have violated their parole would also be disastrous. The very fact that such men are subject to re-arrest is a dominant incentive to good conduct. The time of their first trial and conviction, has been put to expense. They have been duly convicted after every effort for a fair trial. The proposed amendment seems to treat the violation of the parole as in itself in the nature of a new crime to which they are entitled to further hearing before a magistrate. This is not the correct view of the status of prisoners. If such men are charged with a new crime, undoubtedly they are entitled to be tried like anybody else before a jury and be sentenced for that offense. It seems too obvious to require any argument that the passage of this amendment would overthrow the efficacy of the parole system. It is very unreasonable to make a provision of law that should seek to prevent those who have gone bail for an arrested prisoner from summarily imprisoning him to the court. Those who have determined to grant parole are the proper persons to decide upon its revocation. They may simply withdraw the privilege which they find has been abused. The necessity of a rehearing before a magistrate in such cases would make it extremely unsafe to parole any convict whose conduct when freed from confinement the officers of the reformatory have no complete means of informing.

THIRD.

The proposed repeal of section 14 of the act of 1887, one of the provisions already proposed to be repealed as being superseded by the corresponding section in the Prison Law, would be the

destruction of one of the fundamental principles of the reformatory administration. Indeed, the whole purpose of Mr. Featherston's bill seems to be practically an abandonment of the reformatory scheme of discipline, and the conversion of the reformatory into an ordinary old-fashioned prison merely for retributive punishment of offenders. In this connection we venture further to urge dissent from the changes in section 14 of the act chapter 711 of the Laws of 1887, proposed by Senator Wilcox's bill. (See sections 143 and 144 at pages 73-74 of Senator Wilcox's bill.) The revisers' notes say that have, by those two sections, proposed to re-enact section 14 of the act of 1887, "without change in substance." We beg to call the attention of the committee to the vital and important omission of the words near the end of section 14 in the existing law, "but no petition or other form of application for the release of any prisoners shall be entertained by the managers." The revisers very likely supposed that the omission of these words would not have the effect of imposing upon the board of managers the affirmative duty of entertaining petitions and applications of this character. We beg, however, to urge that, in the absence of a statutory provision on the subject, it would be extremely difficult for the board of managers to decline to act upon petitions and applications of this sort. They would be continually subjected to charges of partiality if they attempted to discriminate. The duties already imposed by the act require from a conscientious board a very large amount of time and service, for which the State affords no pecuniary compensation. Prisoners having friends, or commanding outside influence, would insist upon special investigations, and however impartial such investigation, there would inevitably be hard feel-

suspicion of unfairness on the part of the very numerous without such opportunity for having their cases considered for the exercise of such powers as to the treatment of inmates as the board possesses are now at present. It would be a misfortune and an injustice to call attention to special cases by special applications of this character. There seems no more reasonable that the board of managers should be subjected to applications of this kind than why the warden of an ordinary prison, or the superintendent himself of State Prisons, should be subjected to such applications. The very next paragraph in the act gives the power of the Governor, already embedded in the constitution, to deal with all classes. As has already been said, the pardoning power of the Governor of the State is ample to protect the inmates of the reformatory, held under indeterminate sentences, from being the victims of any abuse of power on the part of the managers of the reformatory.

FOURTH.

I venture to call attention to the subdivision 2 in section 2 of Senator Wilcox's bill (Prison Law revision), apparently requiring personal communication by the chaplain at least once a week for the purpose of giving religious and moral instruction. We would not advocate any diminution of religious instruction or of the privilege, but if that subdivision is to be construed strictly it must be, as a requirement that the chaplain communicate separately with each prisoner at least once in each week. This imposes a duty, absolutely impossible of performance,

unless a vast number of chaplains shall be appointed. Power is given under section 123 to appoint one or more chaplains; but it cannot be wise to appoint an army of chaplains for such an institution.

Respectfully submitted,

CHARLTON T. LEWIS.

President.

W. M. F. BOUND.

Corresponding Secretary.

JAMES McKEEN,

GEO. C. HOLT,

EUGENE SMITH,

Special Committee.

The following letter was, by request, addressed to the Speaker of the Assembly, President of the Senate and the members of the committees to whom the above brief was sent. The letter of the Hon. Frederick H. Wines, Commissioner of Charities of Illinois, referred to therein is appended:

NEW YORK, *February 23, 1898.*

Dear Sir.—In consideration of the great interest now felt in pending legislation touching certain advanced principles of penology, you will not consider it an impertinence, if I offer you, in behalf of the Prison Association of New York, a few memoranda gained from twenty years' official experience.

The State Reformatory at Elmira originated in the thought and effort of the Prison Association of New York. Its charter was written by the late Prof. Theodore W. Dwight, who, with a committee of the association, gave long and patient thought to the matter. The charter has always been considered admirable and has been, to a great extent, the model upon which reformatories in other States have been established.

son Association has taken a watchful interest in the
 ry at Elmira from its inception to the present moment.
 n New York has been the reporting office of the insti-
 ere have been 2,337 men paroled from the institution to
 At the present moment there are on its books 180 men.
 e men it exercises, through its agencies, a constant
 ce, so long as they remain wards of the State, its
 eeing rather to guide and counsel than to restrain or
 em. It has recommended for absolute release fully
 he men sent to it. These men report monthly, with
 m their employers.

ires gathered in the Prison Association office fully jus-
 made by the managers of the reformatory. Its books
 s open for inspection: its office open for the examination
 l men.

sults of the training at Elmira, are with the Prison
 n more than a grouping of figures; they are facts,
 by actual contact with the men dismissed from the in-

The principles are so borne in upon its executive
 e, that they have not hesitated, when asked, to recom-
 unqualified adoption of the indeterminate sentence plan
 itates.

he forthcoming annual report of the Prison Association
 ork for the year 1897, it will be shown that there are
 adult reformatories in other States, as follows:

Massachusetts Reformatory at Concord.

Pennsylvania Reformatory at Huntingdon.

Minnesota Reformatory at St. Cloud.

Illinois State Reformatory at Pontiac.

Ohio State Reformatory at Mansfield.

Diana Reformatory at Jeffersonville.

There are authorized by law, with appropriations, projected reformatories in New Jersey and Wisconsin. A similar reformatory has been projected for Connecticut and for the Province of Ontario, Canada.

All these reformatories are based on the statutory application of the indeterminate sentence principle and with parole systems of somewhat variable character, though recognizing the need of surveillance and the fact that paroled men remain wards of the State till they receive their absolute release.

In several States, notably our own, Illinois, Ohio and Massachusetts, the indeterminate sentence has been made a part of the general law.

Massachusetts has, for twelve years, had its reformatory based on this principle; Pennsylvania and Ohio nearly as long. The testimony of these States is in its favor.

In foreign countries, Great Britain, Holland, Germany, Italy and France, have applied the principle in several penal establishments.

In 1893, Count Kazarin, representative of the Prisons Department of Russia, to the Worlds Fair at Chicago, said in our office: "I have dreamed of what a perfect prison should be; I have though my grandchildren might see it realized, but I have seen it with my own eyes in the State Reformatory at Elmira," and this from one of the most eminent penologists of the world.

At the International Penitentiary Congress at Rome and Paris, at which the writer was a delegate on behalf of the United States, the mere mention of the Elmira Reformatory or of its superintendent's name was sufficient to provoke applause.

In correspondence with Lombroso, Garafalo, Tallack, Ruggles-Brise, Stevens of Belgium, Beltrani-Scalia of Italy, Guillaume of

and, there is recognition on their part of Mr. Brockway the leading, most scientific and most practical penologist of the day. The late Dr. E. C. Wines unhesitatingly so valued him. I beg leave to inclose for your reading a copy of a letter received from his son, the Hon. Fred. H. Wines, of New York, who was at the time secretary of the Board of State Commissioners of Public Charities of that State.

My dear sir, find warrant for the urgency of this letter, in that, the recent attacks on the reformatory have been on its principles and not on its management. Should they be successful, all students of penology and criminology would consider that New York, which originated the reformatory in its completeness, has taken a step backward and its position in the matter will never be the same.

I am, with great respect,

WM. M. F. ROUND,

Corresponding Secretary.

(Letter of Hon. Fred. H. Wines referred to above.)

STATE OF ILLINOIS,

THE BOARD OF STATE COMMISSIONERS
OF PUBLIC CHARITIES.

SPRINGFIELD, *February* 15, 1898.

M. F. ROUND, *Albany, N. Y.*:

Dear Mr. Round.—I am sorry to see in Governor Black's message to the Legislature a paragraph relating to prisons, in which he advises a change in the law, governing commitments to the State Reformatory at Elmira. If the criminal courts are given discretionary power to limit sentences in proportion to the estimate of the gravity of the offenses committed by

convicted criminals, such an amendment would destroy the basis of the reformatory work which the Elmira institution seeks to do, and in the accomplishment of which it has had such remarkable success. Nearly every one of the northern States has been favorably impressed by the results obtained at Elmira, that, with few exceptions, its principles have been engrafted into their laws. Under the old prison system, for which it is a substitute, nearly or quite one-half of all State prisoners relapsed into crime after their discharge, and were again convicted and sentenced. Under the Elmira system, the testimony of the authorities in charge of similar prisons is to the effect that the percentage of relapse does not exceed one-fifth of the entire number of prisoners discharged. It appears to me to be a very dangerous experiment to meddle with a law which has yielded such excellent results; and I cannot but think that Governor Black has failed to give the matter sufficient consideration. His message assumes that the punishment must fit the crime, an idea which tends more and more to become obsolete, with the advance of civilization. It is a relic of the antiquated retributive theory of punishment, which is every where giving place to the new conception of the relation of criminal law to crime, namely, that its legitimate purpose is the reformation of the offender, if possible, and his permanent detention, if he proves to be incorrigible and dangerous to society. In other words, punishment has regard to the prisoners. It constitutes a form of treatment, corresponding somewhat to the treatment of the illiterate or of the insane. Time must be given for this treatment to do its work, which can not be the case if judges are permitted arbitrarily to limit the duration of

ment. Moreover, the hope of early release, joined to the prolonged detention in prison, constitutes the great rich operates upon the convict's mind to secure his co- in the effort for his own moral improvement. Under ited sentences the operation of this motive would be

I am, very sincerely yours,

(Signed)

FRED. H. WINES.

sult of pending legislation, is still somewhat in doubt. too much to say in closing this report that the associa- believes in the principles enunciated in the documents ers quoted, and that the best results in the way of ion can only be obtained when the statutory limiation ace, is the sole prospect of release for those who refuse t by the reformatory methods in vogue.

Prison Conferences and Exhibition.

While inspecting Sing Sing prison in July and inquiring into the condition of other prisons in the matter of prison labor, the corresponding secretary was impressed with the intelligent and interested way in which the wardens had met the problem of prison labor, or rather of prison idleness that had been thrust upon them by section 29 of the amended Constitution. It was acknowledged by practical penologists everywhere that not more than one-third of the prisoners could be reasonably employed in the production of supplies for the institutions of the State or the political divisions thereof. By a liberal interpretation of the law, however, it was made to apply to the municipalities and in the matter of State printing required in all State penal institutions and for State boards. This relieved greatly the idleness in prisons and still left a surplus of prisoners unemployed. At Sing Sing trades schools and schools of design and art were established with excellent results. Similar efforts to instruct and employ prisoners were established in other penal establishments. As the matter was one of great public interest and one of which the public had little definite knowledge, it was decided by the Prison Association to hold an exhibit of prison products and also of implements, utensils and apparatus used in prison. The date was fixed for the 7th, 8th and 9th of October, and invitations issued early in the summer. There was a hearty response from the wardens of the prisons and penitentiaries; and

intendent of Prisons and the Prison Commission gave
ie their hearty support. The invitations were extended
oring states and it will be seen in the following list that
setts and Pennsylvania contributed handsomely to the
f the undertaking.

was held at the same time a series of conferences—which
iore fully reported hereafter. The scope of the exhibi-
f may be understood by the following condensed list of
xhibited:

STATE PRISON, SING SING.

PRINTING.

ens of Geographies.
ens of Multiplication tables.
ens of Grammar school course.
ens of Art school course.
ens of Prison laws.

CLOTHING.

ouble-breasted sack suit.
ataway suit for out-going men.
vercoat.
ldier's dress coat.
ldier's blouse.
niform trousers.
onvict's suit and cap.

SHOES.

pairs of shoes.

FURNITURE.

One seat.

One desk.

Two grilles.

Five chairs.

One chest.

One easel.

One bookstand.

Two columns.

INSTRUMENTS.

Calliper compass, for head.

Calliper rule, for ear.

Large calliper rule, for foot.

Small wooden rule, for scars and marks.

Eye chart.

One knife.

One fork.

One steel.

MISCELLANEOUS.

Model of cellular system of Sing Sing Prison.

Three plaster casts.

Sample of stonecutting.

Electric chair.

STATE PRISON, AUBURN.

Oak tables, brass bedsteads, pictures, commitment paper of first criminal sent to Auburn prison.

STATE PRISON FOR WOMEN, AUBURN.

Women's clothing, woolen fabrics and blankets.

STATE PRISON, DANNEMORA.

Tin-ware, wooden-ware, basket and willow-ware, shirts, under-clothing, socks and boots.

STATE REFORMATORY, ELMIRA.

file of records.
 pictures of European writers on penology.
 facings from school architecture.
 albums, illustrating school of letters.
 albums, illustrating physical training.
 gymnasium exercising suit.
 gymnasium exercising slippers.
 paroled man's overcoat.
 paroled man's suit.
 paroled man's shoes.
 paroled first-grade suit.
 paroled first-grade cap.
 paroled upper first-grade shoes.
 paroled first-grade suit.
 paroled first-grade cap.
 paroled lower first-grade shoes.
 paroled second-grade suit.
 paroled second-grade cap.
 paroled second-grade shoes.
 picture stand, with ninety-four views, as follows:
 views reformatory building, exterior.
 views of military department.
 views manual training department.
 views manual training athletic department.
 views physical culture.
 views trade school.
 views school of letters.
 views hospital.
 views, miscellaneous.

MANUAL TRAINING.

- One frame, vice work.
- One frame, moulding models.
- One frame, wood turning.
- One frame, wood carving.
- One frame, sloyd models.
- One frame, clay modeling models.
- Eight frames, free-hand and sloyd mechanical drawings.

TRADE SCHOOL.

- One scrap-book, 110 pamphlets, from bindery.
- Five pieces, illustrating cabinetmaking.
- Five pieces, illustrating carpentry.
- Three pieces, illustrating etching.
- Three pieces, illustrating hardwood finishing.
- Six pieces, illustrating horseshoeing.
- Seven pieces, illustrating machine.
- Fourteen pieces, illustrating plumbing.
- Ten pieces, illustrating printing.
- Five signs, illustrating sign painting.
- One pair shoes, illustrating shoemaking.
- Four pieces, illustrating tinsmithing.
- One lounge, illustrating upholstering.

PENITENTIARY, BLACKWELL'S ISLAND.

Original commission of Amos Pillsbury as warden of the penal institutions of Maine. Picture of Amos Pillsbury; picture of his son, Amos Pillsbury, warden of Albany County Penitentiary, and his grandson, L. D. Pillsbury, warden of Blackwell's Island Penitentiary. One picture of exterior views of Blackwell's Island Penitentiary.

PENITENTIARY, ERIE COUNTY.

ware, clothing, and two musical instruments, hand-aid.

PENITENTIARY, KINGS COUNTY.

d, mattress, clothing, shoes, slippers, brooms and

AWAN STATE HOSPITAL FISHKILL LANDING,
N. Y.

otograph of the State Asylum for Insane Criminals at
rected in 1857.

e views of the Matteawan State Hospital, which sup-
ie old institution.

exterior views of the Matteawan State Hospital.

s interior views of the Matteawan State Hospital.

and elevations of the new hospital for insane convicts
mora.

s taken from the arm of Helen Miller, a case of self-
n.

ties of insane literature.

it, uniform worn by inmates of hospital.

HUSETTS REFORMATORY, CONCORD JUNCTION,
MASS.

on of work from trade school, and photographs of views
formatory.

ASTERN PENITENTIARY, PENNSYLVANIA.

of prison and photographs.

PAULY JAIL BUILDING & MFG. CO.

of rotary jail.

THE VAN DORN IRON WORKS CO.

Prison locks, model of cells of modern construction and photographs.

TOWER & LYON.

Implements and apparatus used in prisons, asylums, etc., police equipments.

YALE & TOWNE.

Models of prison locks and keys.

PETERHANSL & ROTHMAN.

Model of patent tubular construction of prisons, and other places of confinement for criminals.

FOWLER & WELLS.

Plaster casts of heads of twenty-three noted criminals.

A. V. BENOIT.

Models of old-fashioned ball and chain, shackles, key of Bastile and padlock.

JAMES LUBY.

Collection of rare and curious old books on prisons and treatment of prisoners.

ASBESTOS PAPER CO.

An Alladin oven, for use in prison hospitals.

COMMISSIONER AVERY D. ANDREWS.

One set of Bertillon instruments.

THOMAS F. ADAMS.

Set of patent photograph holders and cabinet for use in filing criminal photographs and records; specially adapted for Rogues' gallery.

DR. J. B. RANSOM.

Photographs of tattooing.

OTHER EXHIBITS.

inal portrait of John Howard and several large engrav-
trating his work, together with a photograph from a
Elizabeth Fry, with an autograph, were contributed
responding secretary of the association.

ociation itself exhibited a rare and fine portrait of Isaac
c, colored pictures, illustrating the advance of penolog-
ds in Japan; photographs of modern Japanese prisons;
hs of exposed decapitated heads and transfixed bodies
ted by roadside under the old Japanese law. It also
hotographs representing criminal types and the original
pers of Jerry McCauley, who was himself a beneficiary
sociation.

the exhibition there was a practical demonstration of
llon system of identification under the charge of Mr.

E. Abel, who took the measurements and furnished
tion cards to many visitors.

stimated that more than 3,000 people attended the
n.

Conferences.

In connection with the exhibition there was a series of conferences—one each day from 3 o'clock to 4.30 o'clock—after which a cup of tea was served, and then was an hour for conversation.

It is greatly to be regretted that many and fuller notes of the prison exhibition and conferences were lost in a fire that consumed the residence of the corresponding secretary. Several of the papers have been duplicated by their authors and others have made abstracts of their remarks on the occasion.

The conferences were opened on Thursday, the 7th of October, the president of the association, Mr. Charlton T. Lewis, in the chair. The following is an abstract of his remarks:

Ladies and Gentlemen.—It is my pleasant duty to welcome you to the home of the Prison Association and to this exhibition of prison products and industries. Our objects in bringing together as far as possible everything which can illustrate prison discipline and life, is to extend more widely among a generous and philanthropic people an accurate knowledge of what is done and what ought to be done by penal institutions, and thus to secure what will inevitably follow a wide and earnest support of those reforms, the advocacy of which is the chief work of this association. Hitherto the number of intelligent and earnest workers in this field has been far too small. It is my firm conviction, founded on observation and experience for many years, that there is no branch of philanthropic effort now open to generous minds which promises so much of substantial good as the result of increased service as in this. The work is indeed repulsive to

ings of many, not merely because they shrink from per-
 tact with the criminal class, but largely because of a
 ul prejudice against all humanitarian work in behalf of
 , founded on scepticism as to the possibility of any real
 among those who have once been branded as guilty of
 all that is necessary to do away with this scepticism, to
 lovers of mankind in earnest effort for the good of
 and especially to secure the effective support of public
 or the reforms which are essential to the better pro-
 society as well as to the fulfillment of its duty to its
 ly wards, is a better knowledge on the part of the public
 oblems before the State in the treatment of criminals
 e progress which has been made in their solution.

immediate purpose of this conference it will be sufficient
 your attention to two important topics, which in penol-
 ose of the day. They require action by the Legislature
 e prison authorities of the State, and such action as can
 taken properly when the necessity of it is fully appreci-
 he intelligent public. The first subject is that of penal
 ou are aware that the new Constitution of the State of
 k sets extraordinary restrictions upon the employment
 ers. The production in the prisons of goods for sale is
 d, and while the prisons are authorized to produce sup-
 public institutions, the industries required for this pur-
 not sufficiently extensive and various to furnish either
 oyment or the training which it is desirable that the
 ould be able to give. An intelligent administration,
 has done much, in spite of this restriction, to make of
 l institutions training schools and trade schools, in
 ing offenders who have had no means of support by in-

and the inevitable disgrace which his arrest and conviction unavoidably involved. Being thus saved from the a "prison bird" and from association with criminals, young man is restored to respectable citizenship who, the old and indiscriminating system, would inevitably become a confirmed criminal. We hope to have this system and its details described to you, together with an account of important and valuable results which have been wrought in Massachusetts of recent years. It is our earnest hope that the same system may be introduced by legislation in New York and we ask the co-operation of all thoughtful and intelligent friends of penal reform in bringing about this most radical reorganizing of all changes in our penal laws.

During Mr. Lewis' address was a paper on the Italian Penal System by Mr. Gino C. Speranza—of which unfortunately we did not obtain a copy. The subjects of probation, domiciliary imprisonment and parole were discussed by those present and the meeting adjourned by six o'clock.

Conference on Prison Labor.

The Honorable John Murray Mitchel was introduced by the corresponding secretary and took the chair, with a brief remark on the necessity of giving careful consideration to the matter of prison labor, so that it should have the highest disciplinary value in the prison, do most to fit the prisoner for self support on his liberation, and still reduce any competition with outside labor to the minimum. At the conclusion of his address, Mr. Mitchel introduced Mr. F. H. Mills, superintendent of prison industries in the State of New York, a synopsis of whose address follows:

MR. MILLS' ADDRESS.

Mr. Mills prefaced his remarks by quoting the law passed by the Legislature in 1896-97, founded upon section 29 of the revised Constitution. He then said: This law clears the atmosphere in prison legislation and the State of New York starts off anew with no legislation on the subject other than that contained in this act.

To you who are familiar with the course of legislation during the past twenty years, I need not explain what a very great opportunity is thus given to unify and establish a permanent prison labor system in this State.

The articles and supplies to be manufactured in the prisons, as contemplated in this act, are of such great variety that a wide diversity of industries can be established under it. The needs of the State and its political divisions comprise almost every article that is made in the country.

As to January 1st of this year the prison population was largely on the piece-price plan and with the exception of the glass-ware plant at Auburn and the tinware plant at the machinery in the several prisons was largely owned by private parties and the contracts for the manufacture of the piece-price plan had to be carried on until the close of the year. Therefore, at the beginning of the present year the whole of the prisons was idle, and the prison department was confronted with the task of reorganizing them to meet the requirements of the new law. The first step was the clearing up of the old plants and the selection of new lines of manufacture.

The enforced idleness of the convicts even for a few days so impressed the public that a great demand came to provide immediate employment. There was a feeling among a great many well versed on the subject, that employment could hardly be provided for the whole population. They therefore seemed to think that, so far as possible, prisoners be given employment in manual labor. The prison department, however, believed it impractical to organize the prisons at productive industry so as to give continuous employment to all the population and place the emphasis on instruction that would train them for free life and at the same time, produce the articles contemplated by the law at as low a cost and of as good quality as those hitherto purchased in the market.

The work of clearing up the old industries and preparing the way for the new ones consumed the first three months of the year. When I tell you that the output of the State prisons at this time approximates \$1,500 per day in value, and that the product is of a fairly good quality and sold to the political divisions of the State at market prices, you can form an idea of what has

been done in the way of organization. I will not worry you with any attempt to explain the variety of manufacture, but have only to say that the articles shown at the exhibition do not, in any sense, represent the extent of the line which we make, and we now feel confident there is sufficient scope to the law to enable us to further extend the variety to provide employment for the whole population of the prisons and the reformatories.

When the contracts that are now being operated in the penitentiaries have expired I think the organization will have reached such a point that it could be extended to provide employment for all the prisoners in the State.

To do this satisfactorily, however, the whole system would need to be under one direction in order to save conflict of authority and competition of one institution with another.

Now, then, I have said so much for the information of the conference as to the manner of providing employment, and the class of employment to be provided for convict population is always a matter about which there is a great diversity of opinion.

The labor organizations demand that the product of the labor of the convicts shall not compete in any way with their own labor, and the law under which we are now operating has been passed to meet this demand. Whether or not it does entirely eliminate the competition with free labor is probably not a matter to be discussed here; however, it seems quite pertinent to say that if our convicts work they must produce some finished product, this product must be sold, and wherever sold, whether to the State or the public at large, it must compete in just the proportion that the labor of the prisoner displaces the labor of the free worker.

that the organization of the prison as now carried on will soon produce as large a volume of manufactured goods as ever been produced, and whether or not the restriction of these products to our own State and its political divisions will be a material help to our own labor men can only be determined as time goes on.

Working out the direction of the law as to the grading of the prisoners and the selection of employment that will give opportunity for instruction in trades, the prison department has followed what they believe to be the true system of trade instruction for adult prisoners. The population of the prisons does not come from the professions, they are not great philosophers, artists, or scientists, but they come to us from the great masses, from the ranks of the so-called "hewers of wood and drawers of water," and to a large extent from lives of idleness or idleness and shiftless employment. The problem for us now is not to re-educate specialists of them, but to train them in habits of industry and to enable them, upon their release, to live without violating the law. To do this they should be placed in industrial employment substantially the same as will be required of them when they go into free life. The industrial organization now existing is a great diversity of manufacture. We buy wool, make it into cloth at Auburn, ship it to Sing Sing and, with the addition of buttons and a little thread, our own labor produces a cloth good enough for the National Guard of the State. At Clinton prison raw cotton, and to the manufacture of a cloth in great variety, we add the making of yarn for hosiery and stockings. We make shoes exactly as they are made in the great factories throughout the country; printing is done as in the great presses; we do it; baskets, brooms, wooden-ware, tinware; all are

made under the best conditions. Our foundries for iron and brass are so organized that an almost endless variety of castings are produced. At Dannemora we are erecting a new building to be used as a hospital for insane criminals. Sing Sing prison is preparing stone for the repairing and rebuilding of the old State house at Albany, and Auburn prison is making furniture for new hospital buildings throughout the State.

Such an infinite variety of work can only be accomplished by the very best organization and close supervision, since the product must pass the inspection of the most critical purchasers. In this wide diversity of industry we provide the best possible means to our inmates for acquiring trades. The prisoner working on a stone that must fit a particular place in a public building, or upon any work the perfection of which must be tested by its sale, does his work with very much greater care and more benefit to himself than when he knows the result of his labor is only to be broken up or torn down. Therefore, I say, that when the State, desiring to prepare the convict for free living, keeps him continuously at one branch of business for one, two, or three years, or until he has acquired some proficiency at it, they have done vastly more for him in the way of fitting him to earn his living than when they put him in a trade school two or three hours a day, two or three times a week, and make no test of the product he produces, such as its sale in the market would be. Many of our modern penologists argue that the placing of men in one line of work, keeping them at it for a year or more, is mere tread-mill employment and does not enthuse in the prisoner any ambition, etc. They forget that proficiency is only attained in any given calling by constant effort along one line

re change the conditions under which our men are to
d on their release, we must conform the training in the
meet these conditions.

Eighteen years I have been connected with prisons I
very many places for men released from prisons, and
stance where they have been placed in great factories
ause they were able to do some particular work. I
ertain factory that has taken on our recommenda-
than a score of men, and in no instance has there been
unity to place with them a superintendent or what
rs call a finished workman.

nly to say, in conclusion, that I believe the nearer we
n prison manufacture to the same organization that
free shops, just in that proportion we minimize compe-
best fit our prisoners for free life.

g Mr. Mills, the Hon. John H. Burtis, Commissioner of
arities in Brooklyn, was called upon. We regret that we
ief an abstract of his address, the fuller notes having
n the fire which consumed the residence of the corre-
secretary. The abstract is as follows

1st of January, 1897, the Commissioners of Charities
tion in Kings county had a problem to solve similar of
that which had to be met by the wardens and superin-
f prisons generally throughout the State. Up to that
ad employment for all the prisoners, but by the process
had been left with about 1,000 men with practically
o do; so that for weeks and weeks a visitor would see
these men marching about the prison yard for exercise,
I hardly say that there was very little healthful exercise

diversion, but
arms and could only
after day.

g about to relieve our institution from what
be impending insanity among the prisoners, and care
ding the law, we came to the conclusion that we could
the men outside on the public parks provided we could
the permission from the park commissioners; and after
or less correspondence, and meeting so far as we could the
tical opposition which might be created, we were allowed the
vilege of going in the park or east side lands with our prisoners
ad working there laying out streets and walks and doing that
kind of labor, which the taxpayers would be compelled to pay for
in the future. It was a great experiment and a great many peo-
ple visited the scene of our labor to witness what was a strange
sight in our city, but in a little while this grew to be an old story,
and now the visitor can see daily 200 or 300 prisoners at work on
the grounds without any friction or opposition upon their part;

indeed, I think and know that they very much preferred it to re-
maining shut up in their cells all day with nothing to do. Be-
sides this outside labor we have been for some time employing
generally 100 men on the grounds and buildings at Flatbush to
improve the almshouse, hospital and nursery. We have given
such work to carpenters, tinsmiths, plasterers and gardeners, etc.,
as we found among the men, and by that we have improved the
appearance of the buildings and grounds very much without a
expense to the taxpayers.

In all the care of our prisoners, we have believed in makin
penitentiary a place of reform as well as a place of punish
- kindly treatment and giving them a daily ex

opinion that
taxpayers. We ha
ture bedsteads ar
which you will
be and will be
order that the
will result f
are discha
with a tr
them to
Gen

nishing clean towels and opportunities for bathing in
a splendid bathhouse, and in every way treating the
we find that it is very seldom any of them are com-
put under punishment.

the law is concerned, as it now stands, I am of an
t it will work largely for the benefit of the State and

We have inaugurated a printing plant, can manufac-
tured goods and clothing and all sorts of hospital supplies, of
which will find samples in the room adjoining, and this can
be carried out to any extent that will be required, in
the prisoners shall all be employed. One great change
from this service, I believe, and that is, when the men
get out they will come out not only in good health but
with the skill which they have learned in prison, which will enable
them to earn an honest living in society.

A
discussion of much interest followed these papers.

absolute perfection, relying upon the well-known fact, the beginning of adult life, the dimensions of bones engaged; the taking and recording of certain measurements as a means of identification which is certain and baffles deception by disguises, mutilations, the removal of superficial individual peculiarities, and other means of loss of identity which have often been successfully employed by criminals. This system in its more general application may have a very extended influence beyond the mere identification of criminals. If each of us were provided with an identification card, the search for any one who might by accident be killed, or among the great number of unknown and unidentified, would be greatly simplified. The fruitless searches of the police well illustrate the value of this method which is more generally adopted. The great difficulty of cataloguing which at once suggests itself, has been practically overcome as the classifications are so simple that it is the work of seconds to find a card representing a certain combination of measurements among many thousands.

I say nothing further to this audience against the cruel and brutal system of enforced idleness in prisons. At the reformatory, with which institution I am familiar, and which is the model institution of its kind in existence, enforced idleness would defeat the beneficent objects for which it was created. The idea of the reformation of criminals is futile unless they are educated, often led into crime by environment and example, without knowledge and skill which would enable them to earn a honest livelihood, receive a technical instruction sufficient to make them useful members of society and acquire the habit

The treatment of crime and criminals should be based solely upon the idea of the protection of society, with no feeling of revenge or effort at retributive punishment. It should not involve sentimentality in any degree either in the form of illogical sympathy for the criminal, or revenge during the period of so-called punishment. The life of the criminal should be hard and he should be compelled to at least earn his living and repay to the State what it costs the community for his support.

What is called a congenital or confirmed criminal is an enemy to society and a menace to public safety. Society should be protected against him as against a wild beast or a pestilence. It matters not whether he be responsible or irresponsible, whether he be compelled to commit crime by an impulse which he cannot resist, or what may be termed a voluntary offender with no physical excuse for his acts. Society can be protected better by the intelligent treatment of criminals, involving reformation if possible, than by vindictive and illogical punishments.

Some of us who make psychology, mental disease and criminology matters of scientific study and investigation, are met with the reproach that our lines of thought lead to a denial of the responsibility of criminals, that the notion of substituting intelligent treatment for so-called punishment, will encourage crime and secure practical immunity to offenders. Deterrence should enter largely into the practical treatment of criminals and deterrence in the treatment of the highest crime, the crime of murder, can be better secured by the practical disappearance of the murderer and the mystery surrounding such disappearance than by the dramatical and sensational process of execution.

We are on the threshold of a deeper and more accurate knowledge of mental processes. Recent discoveries have shown us

ls of the brain undergo marked changes during mental they become shrunken and deformed during such hat these changes belong to mental fatigue, restoration ed by sleep. These facts have an important bearing athology of insanity, for the most important phenome- ted with insanity is insomnia. Is it not possible that deprivation of sleep, the cells of the brain may become y altered, rendering all mental operation impossible, not be shown in the future, that certain changes in f the brain are characteristic of special forms of in- certain peculiarities of the internal structure of the oincident with what we know as a criminal character y?

ve the pleasure of introducing Dr. Allison, superinten- institution for the criminal insane, at Matteawan."

CONSTITUTES AN INSANE CRIMINAL, AND WHAT STATUS DOES HE OCCUPY?

BY H. E. ALLISON, M. D.

ical Superintendent, Matteawan State Hospital, Matteawan, N. Y.

ber of insane held in custody in the State of New York 0,000. Of this total nearly 700 may be classified as in- nals. Some have been sentenced by the courts, and rison have been declared insane; others, instead of re- tence to prison, have been confined in State hospitals rial, criminal proceedings having been suspended pend- ecovery from mental derangement. They may then be ided into the convicted and unconvicted classes. ental, moral, and physical difference between the two hich is decidedly in favor of a higher development of

te of New York are confined in the State Hospital for
al Insane, having been transferred from the prisons;
se the great majority were insane at the time the homi-
was committed. Insanity is responsible in a large de-
great number of murders and for serious assaults upon

ally foreigners are also sent to prison suffering from
of insanity, which is not recognized by the courts at
their trial by reason of the difficulties of language.

minate all persons, therefore, in whom insanity existed
e of the criminal act and before conviction, we shall
ining the general convict body, made up of men who
before commitment to prison. Many of these are old
and among them is the habitual criminal. They are
le lot mentally, and during confinement many become

We find associated with this derangement a condition
mental and physical enfeeblement, congenital in its

Many of them have never been bright, and they are
a natural ability and in education. Their condition is
o heredity and early environment. The family history,
is not good, and the opportunities for education have
n denied or their mental capacity would not admit of
iving it. They are fixed in criminal habits, and when
from prison become recidivists. If they develop in-
g imprisonment, they are sent to the Matteawan
here they often recover. It is a question, when they
restored to their normal state whether they are fit sub-
urn to the custody of the prison to be released upon
on of their term of sentence, or whether they should
at the hospital as still insane or mentally defective. In

many cases the history of the patient through his numerous convictions shows that, because of his criminal propensities, his mental calibre is not great enough to keep him out of prison, and that he is a dangerous person to be at large. When actually insane his delusions are apt to partake of the nature of ideas of persecution, and when he has apparently recovered, it is difficult to determine whether these false beliefs have entirely disappeared or simply become quiescent. The natural state of the man renders this a more difficult task on account of his low order of intelligence and mental development. The individual history should govern largely in determining the present mental condition in cases wherein there is an element of doubt. If the question of responsibility were oftener raised in the courts, and the length of confinement made more dependent upon the character and record of the individual than upon the crime, many of these persons would be sentenced for very much longer terms and others committed to lunatic asylums. If a man knew that his character as well as the act was to be considered, it would have a decidedly deterrent influence upon him. The old idea of punishment is passing away, and security of life and property is better effected by methods which look to the reformation of youthful first offenders, the lengthy sequestration of the confirmed criminal, and the detention in custody of the insane convict beyond the expiration of his term until he is recovered or considered fit to be at large. In all States where hospitals for the criminal insane have been established, it is the practice to commit to their custody all convicts who become mentally deranged. If they recover before the expiration of the term for which they were sentenced, they are returned to the prison to serve the remainder of their terms. If they remain insane, they are detained at the hospital beyond the

which their terms of sentence end, and until they are sufficiently improved to be released with a reasonable degree of safety. Of such unrecovered cases about 175 are held at Matteawan, several of them being from ten to twenty years past the time at which their sentences expired. During the last two years there have been discharged fifty convicts who have thus been held over time. Of this number fifteen were discharged by death and twenty-one transferred either to other hospitals, to homes in foreign countries, or to the custody of the State in this and other States. The average duration of time during which their terms of imprisonment by being thus retained was about one year three months. This includes both those who died and those released to the custody of other institutions and those who would otherwise have been detained for a longer period. Only fourteen of the fifty were discharged as recovered and absolutely released. When we consider that the average duration of sentence in the three great prisons of the State, allowing for commutation for good conduct and excluding life sentences and execution, is only about three years and ten months, we find that the insane convict who is so unfortunate as to be unrecovered at the end of his sentence has an average duration added to the length of his term of about 33 1-3 per cent; and his delusions are such as to render him unsafe to be at large, and practically confined for life. In this manner some of the most dangerous elements who are dangerous by reason of insanity are kept out and remain in custody. Moreover, the hospital treatment of the hopeless cases among convicts the same opportunity for cure as is provided to the insane generally throughout the State. When viewed as a result of insanity, acts which are now credited to viciousness awaken the sentiment of pity

most amount of controversy on the subject of mental disease. Members of both the legal and medical have written much upon this subject, even since Hadfield's assault upon King George the Third. Whenever a case of insanity arises, the test of the courts which has usually applied has been, "Did the accused know the nature of his act, and did he know that it was wrong?" The insane person has a very good knowledge of right in the abstract; and while in general he may be fully aware of the enormity of homicide, yet in relation to his act he has very erroneous beliefs. There is often this point of difference between the sane habitual criminal who subsequently repented and the insane offender, namely, the former knew of crime knowing it to be unlawful, and the act for which he is arrested is probably only one of many similar offenses which he had committed and which he had not detected; while the latter's transgression may be a serious one in a life time, and, moreover, he has usually been unable to avoid and to resist his impulse to commit it. Some jurists have said that if a person is capable of curbing his passions for some length of time from the commission of an act which he feels to be wrong, that the very fact of such self-restraint is the exercise of will power and a knowledge of right which renders him fully responsible; if he could refrain from committing actions for a week or a month, why could he not refrain from doing wrong? It might with equal truth be said that, because a patient ill with a fever was able to get out for days, his eventual confinement to bed was a result which he could have successfully combated. Yet the continuance of disease leads to death, which it is in the power of no man to avert. In the same manner progressive

that he knew the act was not lawful, but he felt that justified, and while not intending harm, he took this opportunity of attracting public attention to his case, hoping that it would free him from a band of conspirators who were doing injury upon him. In these cases the quality of the act is frequently the decisive test. No single act can be judged, but all the circumstances and conditions which surround it must be carefully considered in order to fix its quality. There is a great deal of difference between the act of an sane person and an insane act. Many acts of the insane are rational. This seems a paradox, and is a fact not generally understood. Many believe that because a patient is able to write a coherent letter he ought not to be confined in a lunatic asylum. In judicial officers have expressed such an opinion. In the determination of any act, the chief point is to determine what are the facts upon which to base a reason for it. To pronounce the insanity of a person's mental condition requires a very thorough knowledge of the man, and renders each case a most difficult psychological study. The insane offender may be a sane man, but he is not criminal, though so termed.

In some cases of insanity the legal test of responsibility is very difficult of application, in others it is very simple. Insane persons consist of paranoiacs, chronic maniacs, paretics, cases of melancholia and of dementia, imbecility, and in paranoia, chronic mania, and melancholia that acts of homicidal or dangerous nature are most frequently committed. The patient is governed by systematized delusions. It is not always an easy matter to discover. Patients are, as a rule, cunning, shrewd, and capable of contriving means to do harm. Their reasoning is often acute, but, as

patient dangerous to be at large. These conditions are well understood as a factor in the production of the

Epilepsy is essentially a chronic and continuing disease. Where an acquittal is had upon the ground that such a person is insane, the jury, in accordance with the provisions of the Criminal Procedure should report a special verdict and if they acquit upon the ground of insanity they are instructed to state that fact with their verdict. Thereupon, if the defendant be in custody, and if his discharge dangerous to the public peace or safety, he is committed to the State lunatic asylum until he is cured.

This procedure, if adhered to, would practically prevent dangerous epileptics charged with serious crime. And if a person has taken human life or made an attempt to do so, or committed arson or any other grave offense, he is detained as long as his malady exists, or as long as, in the opinion of a justice of a Supreme Court, it is proper to detain him.

Persons often commit crimes, but they are usually of feeble mind, easily recognized to be the act of a feeble-minded person; nevertheless such people are often a menace to the public. They may be subject to sudden outbursts of violence and develop a penchant for acts of arson or other proclivities which render it necessary to provide for their safe custody.

Among the feeble-minded, the degenerate, and the imbecile a great difficulty often arises as to their accountability and their treatment under the law. No one would consider an idiot to be dangerous. But these persons are not all idiots, and there are many degrees of feeble-mindedness, and the matter is simply one of degree. It is determined from the history of each case. It is properly

Matteawan the average length of detention of cases in the courts, calculated on the discharges for the last year has been five years and one month. These figures include, all cases returned to court for trial, and all to other State hospitals. In this connection is appended table, showing the nature of the crime, the confinement and the termination of each "court" case from Matteawan during the past three years:

| | | | | | | | | | |
|------|------|----|--|----------------|----------------|------|----|------|---|
| 683 | M... | 68 | Murder..... | Nov. 19, 1877 | Mar. 9, 1896 | 18 | 3 | 20 | to Sing Sing for five years. |
| 1713 | M... | 87 | Assault, 1st degree..... | July 29, 1895 | Mar. 18, 1896 | .... | 7 | 19 | Struck fellow-workman with a hammer suddenly without provocation. Recovered. Returned to court and released. |
| 1576 | M... | 31 | Vagrancy..... | Aug. 25, 1894 | April 13, 1896 | 1 | 7 | 18 | A vagrant lunatic, escaped from an asylum in Nova Scotia. Released by order of court and sent to Nova Scotia by State Commission in Lunacy. |
| 1715 | M... | 32 | Assault, 1st degree..... | Aug. 1, 1895 | May 14, 1896 | .... | 9 | 13 | Recovered and released by order of court. Has made a good record since. |
| 1596 | M... | 20 | Grand larceny and burglary... | Oct. 19, 1894 | May 15, 1896 | .... | 6 | 26 | Charges dismissed, and transferred by order of court to New York Asylum for Idiots. |
| 1500 | M... | 42 | Assault, 1st degree..... | Nov. 13, 1893 | May 20, 1896 | 2 | 6 | 7 | Died. |
| 1638 | M... | 36 | Grand larceny, 2d degree..... | Feb. 2, 1895 | June 4, 1896 | .... | 4 | 2 | Died. |
| 1292 | M... | 42 | Murder, 1st degree..... | Sept. 19, 1889 | July 12, 1896 | 6 | 9 | 23 | Died. |
| 1726 | M... | 66 | Intoxication..... | Sept. 7, 1895 | Aug. 5, 1896 | .... | 10 | 28 | Died. |
| 1321 | M... | 33 | Vagrancy..... | Mar. 9, 1891 | Aug. 31, 1896 | 5 | 5 | 22 | Died. |
| 1490 | M... | 45 | Disorderly..... | June 1, 1895 | Aug. 31, 1896 | 1 | 3 | .... | Alcoholism. Almost bed ridden from neuritis. Discharged to custody of brother. |
| 1266 | M... | 66 | Vagrancy..... | Jan. 3, 1890 | Sept. 23, 1896 | 6 | 8 | 20 | Died. |
| 1303 | M... | 31 | Forgery, 2d degree..... | April 18, 1892 | Oct. 31, 1896 | 4 | 6 | 13 | Died. |
| 1714 | M... | 25 | Forgery, 2d degree..... | July 31, 1895 | Nov. 1, 1896 | 1 | 3 | .... | A young law student. Proceedings dismissed and released to custody of friends. Improved. |
| 1858 | M... | 22 | Vagrancy..... | Sept. 28, 1896 | Nov. 24, 1896 | .... | 1 | 28 | Died. |
| 1783 | M... | 22 | Burglary and grand larceny..... | Jan. 10, 1896 | Dec. 4, 1896 | .... | 10 | 24 | Recovered. Returned to court and there released. |
| 1825 | M... | 35 | Petit larceny..... | May 8, 1896 | Jan. 30, 1897 | .... | 8 | 22 | Died. |
| 1891 | M... | 55 | Violently and dangerously in sane..... | Nov. 23, 1890 | Feb. 12, 1897 | 6 | 2 | 20 | Received from Binghamton State Hospital. Improperly committed. Returned to Binghamton State Hospital. Still remains there in custody. |
| 373 | M... | 94 | Arson..... | Sept. 13, 1875 | Feb. 14, 1897 | 21 | 5 | 1 | Died. |
| 1112 | M... | 42 | Assault..... | Jan. 9, 1889 | Mar. 20, 1897 | 8 | 2 | 11 | Died. |
| 1560 | M... | 55 | Assault, 2d degree..... | July 7, 1894 | April 5, 1897 | 2 | 8 | 28 | Died. |
| 1271 | M... | 55 | Murder, 1st degree..... | April 1, 1891 | April 27, 1897 | 6 | 0 | 26 | Died. |

* "Court" patients are unconvicted cases charged with crime, but declared irresponsible by reason of insanity, and committed by order of court.
† Length of time in actual confinement.

COMPLETE LIST OF COURT * PATIENTS DISCHARGED, ETC.—(Concluded).

| Case number. | Sex. | Age at date of discharge. | CRIME. | Date of commitment. | Date of discharge. | DURATION OF CONFINEMENT. | | | Remarks on manner of discharge. |
|--------------|------|---------------------------|--------------------------------|---------------------|--------------------|--------------------------|------|-------|--|
| | | | | | | Yrs. | Mos. | Days. | |
| 1826 | M .. | 24 | Grand larceny, 2d degree | May 14, 1896 | April 30, 1897 | .... | 11 | 16 | Charges dismissed, and patient released by order of court. Improved. |
| 1771 | M .. | 25 | Vagrancy | Dec. 30, 1895 | May 11, 1897 | 1 | 4 | 11 | Vagrant lunatic from England. Case dismissed by court. Returned to England by State Commission in Lunacy. |
| 1678 | M .. | 55 | Arson | May 10, 1895 | June 14, 1897 | 2 | 1 | 4 | Recovered. Returned to court and there released. |
| 1908 | M .. | 39 | Drunk and disorderly | Dec. 30, 1896 | June 18, 1897 | .... | 5 | 18 | Improved mentally, and transferred by order of court to Rochester State Hospital. |
| 1681 | M .. | 40 | Burglary, 2d degree | May 15, 1895 | June 25, 1897 | 2 | 1 | 10 | Died. |
| 434 | M .. | 59 | Assault, 1st degree | April 21, 1877 | June 29, 1897 | 20 | 2 | 8 | Died. |
| 1887 | M .. | 32 | Assault, 2d degree | Dec. 1, 1896 | July 3, 1897 | .... | 7 | 2 | Improperly committed. Discharged upon a writ of habeas corpus, and recommitted to Rochester State Hospital. An imbecile. |
| 1909 | M .. | 23 | Assault, 3d degree | Feb. 3, 1897 | July 22, 1897 | .... | 5 | 19 | Proceedings dismissed. Released to custody of father. |
| 723 | M .. | 54 | Arson | Dec. 29, 1881 | Aug. 6, 1897 | 15 | 7 | 7 | Improved. |
| 728 | M .. | 42 | Assault, 3d degree | May 16, 1881 | Aug. 22, 1897 | 16 | 3 | 6 | Died. |

* "Court" patients are unconvicted cases charged with crime, but declared irresponsible by reason of insanity, and committed by order of court.

from this table that the public welfare is better subserved by the patient having been declared insane than would have been the case had he been sentenced to prison. At the same time, the law and justice have been impartially served, which is the object of the law. In many cases of homicide or of assault with intent to kill, if the prisoner is declared insane, the probability of his detention until safe to be at large are much greater if committed to a lunatic asylum, than if convicted and sentenced to prison where the average length of his detention would be a decidedly shorter period. An insane man who fails to restrain himself is as dangerous as one who actually commits a crime. The sane man's passion is transient, but the lunatic's is so long as his delusions prevail. There are numerous cases in our population of cases still resident with us, committed to our custody for murders and deadly assaults committed twenty and even thirty years ago. The popular idea that the lunatic asylum is a shield, under cover of which many guilty persons escape the penalty of crime, is not often, I think, borne out by facts. On the contrary, it is difficult under the law to get rid of such persons. There are, indeed, some cases of petty offenses committed by weak-minded boys where a more liberal provision for discharge is desirable, so that such patients may be sent to industrial homes or schools, or even released after a short period instead of remaining in an asylum for life. In England the practice in many cases is to parole patients conditionally for a certain period of time during which the criminal charge still remains against them, and, in the event of misbehavior, the patient is arrested and sent back to custody upon summary proceedings without trial. It is the part purpose of this paper to show the necessity of

Expert Testimony.

tion with the conferences, there was a question box—questions pertinent to the subjects under consideration. Practical prison management were asked and answered. Most of these were lost in the fire spoken of above. We have, however, been successful in obtaining from Dr. J. B. Ranney, his reply to one of the most important questions.

In reply to your query "Are you in favor of a Board of Medical Jurisprudence," in court to determine on matters within the province of the physician, I should emphatically say "Yes."

No demonstration to show that the modern trial, sentence and punishment of the criminal, largely based upon assumption and in ignorance of the criminal himself, has measureless power to protect society from the rising tide of crime, or to provide opportunity of reform for the criminal. In the exercise of the powers of the court, and the almost total subordination of the criminal to the offices of the Penal Code, the ranks of the criminal classes have been constantly increased, and the ranks of the reformed have been constantly recruited. This is in the face of the fact that the procedures of the criminal administration of law have based their action upon the assumption that their functions were first to detect crime, and punish it, losing sight of the fact that all men are not criminals, and that punitive measures can only be efficient when they take into consideration the individual characteristics, and

Correspondence.

CAL PROGRESS IN THE UNITED STATES AND CANADA.

honorary corresponding members we receive the information as to penological and preventive measures pending in their several localities.

INDIANA.

C. H. Reeve writes:

Mr. Round.—Yours of 29th ult. requesting me to be honorary corresponding member of your association received. I thank you for the compliment implied and the position as an honor coming to me, and one I had to hold, if I could be of any, the least, service to so institution. The New York and Pennsylvania associations well feel proud when the long years of benevolent and labor and results are held in review, which are their histories.

My position involves me in no liabilities, and requires of me no pecuniary labor, and I could see any way to be of service, I am pleased to see my name on your list. Should you use it remember my 75 years and my failing strength and my physical inability to make personal investigations, and that all I could do would be to offer suggestions on any subject that might be presented to me for that

as investigations progressed, and, as our influence and acquaintance with the officials became closer, we exerted our influence, and worked to have all boys removed from the prisons, which has been accomplished. This required conferences with the prison officials, committing magistrates, the police superintendent, city council, mayor and the Board of Prison Commissioners, having in charge the Boys' House of Refuge.

There is not a boy either in our parish prison or police jail. The mayor has positively instructed the committing magistrates to send no others there, and the criminal judges have agreed that they will not send any others there.

We are now moving to have the boys classified and separated in the House of Refuge with good prospects of immediately accomplishing something definite.

We also secured the removal of every insane and feeble-minded person in either our parish prison, police jail or Boys' House of Refuge. There were several in every institution, and on all hands that it was impossible to have the prisons containing a certain number in these institutions broken up. We, however, secured the removal of every such person, and no feeble-minded or insane persons will be kept in our jails. In the accomplishment of a great deal of hard work with officials of all kinds, the accomplishment of our work was delayed by the yellow

MARYLAND.

Goldsborough S. Griffith writes:

Sir.—I received the very valuable report of your committee and will take pleasure in examining it at my leisure. In my examination I must compliment you on its completeness and general get up.

"In regard to the matters that you request in your letter, I have to say that the indeterminate sentence is not in operation in our State. I know of no changes in the laws or legislation in regard to capital punishment, prison labor, etc., nor any agitation on the subject. Everything is working along smoothly and satisfactorily."

MICHIGAN.

Mr. Walter K. James, secretary of the Home of Industry, Detroit, writes:

"Dear Sir.—Referring to your esteemed favor of the 26th ult. I am desired by Mrs. d'Arcambal to forward you the attached list of bills relating to prison questions that have come before the Michigan Legislature during the session 1897. She has not copies of these bills, but can procure copies of any that you may desire. The indeterminate sentence is not in force in the prisons of this State, but the parole system has been used with satisfactory results for several years. You will observe from the accompanying list that an attempt to restore capital punishment in the State was defeated during the present year.

"The contract system has been generally adopted in our State institutions and is found to be fairly satisfactory in its results. You will also observe that a recent attempt to substitute road labor with ball and chain was also defeated."

(List accompanying letter.)

MICHIGAN LEGISLATURE, 1897.

Bills relating to Prison Questions.

1. To abolish contract labor in prisons and work convicts on road with ball and chain. (Defeated.)
2. To restore capital punishment. (Defeated.)
3. To place women on asylum boards. (Defeated.)

mandatory the employment of female physicians in
 same for feeble-minded. (Defeated.)

matrons in jails and police stations. (Passed.)

law which permits admitting visitors to prisons on
 once fee. (Defeated.)

for unsexing of certain deficient and criminal per-
 sonal.)

for definite term of appointment of wardens. (De-

for labeling and marking prison-made goods as
 sold.)

NEW YORK.

R. Brockway writes:

-I have yours 9th. I am sorry not to be able to
 reply than it is possible for me to do.

existing adult reformatories as you know,

York State Reformatory at Elmira.

Massachusetts Reformatory at Concord.

Pennsylvania Reformatory at Huntingdon.

Minnesota Reformatory at St. Cloud.

Michigan State Reformatory at Pontiac.

Ohio State Reformatory at Mansfield.

Indiana Reformatory at Jeffersonville.

authorized by law, with appropriations, projected
 in New Jersey, Wisconsin and Connecticut. It is
 of Connecticut that the enterprise is suspended at

reformatories are based upon statutory application
 principle of the so-called 'Indeterminate Sentence,' in
 which it should be said that modification of criminal

inate sentence, but no bill has been introduced at meeting of parliament at Ottawa, though it is learned minister of justice has it under consideration, and has moved at different times on the subject.

Prisoner's Aid Association here have been pressing for reform of the probation system for first offenders and the holding of a Canadian Conference of Charities and Corrections. Reports are being made to have the Bertillon system of classification of criminals adopted. We are hopeful that between the next session of the federal parliament at Ottawa and the next session of the provincial parliament in Ontario and others in the same direction will be fully considered in the department of justice, and before long bills will be introduced for their adoption."

OREGON.

Carl M. Wilbur writes:

"During the seven years of my residence in Oregon, I have seen a little advance that is worthy of public record in the management of the State. The city and county jails, with their defects, have been for years, and still are, ill-constructed, crowded and foul. The report of the State Board of Charities and Corrections in 1892 for the single year which it was permitted to publish disclosed the facts and made recommendations. And now, as new jails are erected, there is shown a disposition to make them much less subject to criticism. The Multnomah County Jail at Portland, the largest in the State, has within two years been greatly improved, especially in making apartments for the inmates, far removed from the rest of the inmates, for disciplinary matters. The congregate system prevails

ishment still exists and, so far as I know, there has been no legislation affecting it, and the indeterminate sentence has not been adopted. The convicts in our penitentiary are employed within the walls of the penitentiary, under a contract with the Davis Boot & Shoe Company, a corporation organized under the laws of this State, but composed of wealthy persons from Massachusetts. I have for years been their counsel in all the contracts under which they have worked for the State. I think I may say with confidence that never has been in operation in this country a better system for contracting convict labor. The men are entirely under the management and control of the officers and guards of the penitentiary at work. There is no money imposed upon them only a small fine and they are allowed, within limits, to do extra work for which they may do from choice and for which they are paid, and the money is put to their credit upon the books of the penitentiary. Much, perhaps most, of it finds its way to their pockets. My impression is that fully \$2,000 was paid to the men last year, and the institution is I think more than self-supporting, i. e., actually brings in a profit to the State. The men are well fed, well treated and admirably instructed and for the most part cheerful and docile.

The chief defect is that with (the adoption of the indeterminate sentence) as one single material improvement the State penitentiary in Virginia would be an admirable reformatory institution. The chief defect is the lack of proper room and sleeping accommodations for the convicts. The prison building is an old one and in portions of it, numbers of men are herded together at night; but there will be next year, I think, a very great impetus towards the erection of a new building, upon

Penological Progress in Japan.

foreign corresponding member, Mr. Keigo Kiyoura,
Minister of Justice of Japan:

I have the pleasure to greet the growing prosperity of
the Association of New York. I am glad to learn that
the execution of the indeterminate sentence is in progress
everywhere, especially in New York, where the principle,
after more than fifteen years, has shown the best re-
sults. Changes have been made permissive in the general law
and that the prisons based on the system are in
various states. In our country the system is still
a new institution. I think it will probably find
its place in the future. I sympathize with the prison man-
agement suffering from the operation of section 29 of
the constitution, but I am glad to hear that, by their
search for a remedy, they are very successful in miti-
gating the rigidity of the law to some extent.

New treaties with foreign nations are coming in force
soon. Accordingly, at present the government and
are in preparation for meeting the occasion with wis-
dom, especially the prison question, which is esti-
mated as one of the most important things. The prison man-
agement is preparing a scheme of putting our countrymen
on a par with foreigners in the treatment of prison-

A rod with one wire leads from the top of this chair, which is some four feet in front of it. The chair, is made of oak wood, with strong iron fastenings are placed on it in such a manner as to be able to hold the following parts of the man to be electrocuted: the head, the chest, one each around both upper arms and

the feet, held in place by straps just above the ankles; the arms are placed so as to hold down the thighs just below

The wire is led from the cabinet under the floor to the back of the chair; this is fastened to an electrode, which is placed on the right leg just beneath the knee, while the wire from the other rod is attached to a cap being fastened around the head, making the other electrode. The hair on the man's head is shaved very close in order to enable the electrode to come in contact with the skin.

At the coming of the criminal the wires of the electric machine were connected to make sure of a perfect circuit.

The criminal was then led in by several keepers, followed by

He walked with a determined step, never hesitating, and no quiver was there to be seen as he took his seat.

He was rapidly strapped fast: the keepers then stepped back, and a current of 1,540 volts was turned on and was passing through his body for about half a minute.

He was straitened out with a jerk and only collapsed when the current was reduced to 900 volts, which were allowed to pass for some fifty seconds.

Sufficient to kill a man, but in this case a beating of the heart was noticeable and it was deemed necessary to stop the man the 1,540 volts.

There was evidently no pain and it is hardly to be supposed there was, for certainly electricity travels faster than an impulse from the surface of the body to the brain and back again.

After the man was pronounced dead, the straps being removed, he was carried to the autopsy room and the post mortem performed immediately.

All organs seemed to have been in a state of perfect health, and no changes were noticeable in any of them except the brain, which was somewhat congested and the lungs, which showed hemorrhages. The hemorrhages may have been due to the strain put on the lungs by the horrible contraction of all muscles, due to the electricity or possibly because the action of the body straightening out against the straps over the chest acted like a severe blow, which may cause hemorrhages.

Jail Inspections.

ALBANY COUNTY.

Corresponding secretary, accompanied by Anthony Murray, D.D., in the latter part of the afternoon, visited both a prison and an entirely inadequate of the county. The interior of the main building there are three tiers of cells, each cell twenty feet, running cells from main corridor are 18 inches thick by 12 or 14 inches between each cell. This takes all of the breathing space. The ventilators are inches square opening into an unheated duct so the cold air comes down than foul air goes up, these lating shafts are mostly stuffed with paper. Two each cell. The cells are furnished with canvas cover on wall at each end, one above another. Shelves in lined nondescript articles, dishes, tinware, etc., belong to prisoners. Tin buckets for night use—not allowed—in the corner of each cell. The bedding consisted of straw mats, the beds not made and untidy. The meals are served in the main corridor and many of the prisoners eat in their cells. The building is heated by two stoves, one on each side of the block, the air is very hot and very close. The men were cooking their food in tin cans on the coals, presumably scraps saved from the kitchen and sent in by friends.

At the time of the jail was 56 men, 4 women and 6 boys.

a building susceptible of improvement and should go to the very ground and a new building erected in harmony with the other noble public buildings of the city. Religious services are held on Sunday at the prison. The keeper could give no account of them except that they are by "Christian folks" and that "some of the prisoners go to them and some of them didn't."

ALBANY COUNTY.

Visited on January 28th by corresponding secretary, E. Abel; taken through the prison by Chester F. Warden, who evidently takes a just pride in his institution. He introduced several improvements, notably, lamps for the prisoners to read by for three hours in the evening. The whole place scrupulously clean, no prison odor. The census was 731 men, 33 women. Of this number 100 are United States prisoners. There are 17 life prisoners and 100 convicts.

The prison is principally laundrying, brush-making, and the institution itself and some few orders for outside work. There is no prison school. The punishments are the "hanging up," both of which are used infrequently, the punishments being deprivation of privileges.

The prisoners are well clothed and found as earnest, healthy, interested set of men as could be found anywhere. There was none of the idleness so often found in prisons. The affairs of the prison are managed by a commission composed of the district attorney, the county clerk and a third member appointed by the board of supervisors, who happens to be at

present the county treasurer. The warden strenuously objects to the change proposed in the Statutory Revision bill, which throws the appointment of commissioners back into the board of supervisors.

BROOME COUNTY.

Jail at Binghamton. Our co-operative committee reports by its secretary. This is a new jail, constructed on modern ideas and is satisfactory in every way. The number of prisoners on October 1, 1897, was 24, of which two were boys. Average number per day during the year was about 30. The county pays \$2.94 per week for board. There is no labor in this jail. Adequate separation of young and old offenders and of male and female prisoners. Religious services are conducted by Mr. T. P. Gates and are well liked by the prisoners. The average length of sentence is 30 days.

Dr. Orton, chairman and myself, secretary of the committee, do not favor the proposed change as to term of service in the Elmira Reformatory, referring to the act now pending in the Legislature.

CHEMUNG COUNTY.

Jail at Elmira. Inspected by co-operative committee. The general condition of this jail is good. Number of prisoners on October 1, 1897, was 16. The average number per week during the year 140. The county pays \$3 per week for board of prison-

o labor in this jail. Adequate separation of offenders and of male and female prisoners. No s of any kind. The average length of sentence

CORTLAND COUNTY.

land. Inspected by co-operative committee. v very good condition. The average numbers throughout the year is only ten. The mnty for board of prisoners is \$2.80 per week. r. Entire separation of young and old offenders l female prisoners. Religious services are con- salvation Army. The average length of sentence s.

DELAWARE COUNTY.

. Inspected by co-operative committee. This d condition. The number of prisoners on 7, was 12. The average number being 8. s \$3.50 per week for board of prisoners. There nis jail. There is adequate separation of young s. The question as to proper separation of male oners was not answered. Religious services are e jail by a philanthropic woman, who is very in- work; the services are well liked by the prisoners.

ERIE COUNTY.

o. Inspected by co-operative committee. This condition. The number of prisoners on Oc-

ANNUAL REPORT OF THE

er 1, 1897, was 60; 59 males and 1 female. There is no labor. Separation of young and old offenders and male and female prisoners is all right. Religious services are conducted by the various Protestant and Catholic churches and the Women's Christian Association; they are not very satisfactory. This jail is only for those awaiting trial, etc. Sentenced persons are sent to the county penitentiary.

FULTON COUNTY.

Jail at Johnstown. Report by co-operative committee. This jail is in good condition. But two prisoners on October 1, 1897. The average number for the year is only four. The county pays \$3.50 for board of prisoners per week. There is no labor. Not entirely adequate separation of young and old offenders. Religious services are conducted by Y. M. C. A. and are well liked by the prisoners. The average length of sentence is 10 days.

GENESEE COUNTY.

Jail at Batavia. Report by co-operative committee. This jail is in very poor condition. There should be a new one built that would be entirely adequate to the needs of the county and one that is entirely sanitary in its construction. The average number of prisoners throughout the year is 13. The county pays \$3.15 for board. No separation of young and old offenders. There is no labor. The jail is not a safe one; there have been two escapes during the past year.

es are conducted by two self-sacrificing women
ed by the prisoners. The average length of sen-
s.

JEFFERSON COUNTY.

tertown. Report by co-operative committee.
one of the best in the State. The num-
ers on October 1, 1897, was 12, of which
s. The average number per week throughout the
re county pays \$3 per week for board. There is
re is complete separation of young and old offend-
services are conducted in the jail on Sundays by
A. and are well liked by the inmates. Average
ence is 20 days.

LEWIS COUNTY.

ville. Report by co-operative committee. The
ir condition as regards cleanliness and care
f. The number of prisoners on October 1,
The average number every week about 5.
ys \$4 per week for board of inmates. There is
is jail. There is no separation of young and old
not adequate separation of male and female prison-
en are in the same room with the men, but are
te corridors. The supervisors intend to build a
females. The jail is not very safe as there have
pes during the past year. Occasional religious
ducted by the Y. M. C. A. and the village pastors;
xed as a rule, the prisoners ridiculing the workers
ey are gone. The average length of sentence is

ANNUAL REPORT OF THE

LIVINGSTON COUNTY.

Report by co-operative committee. The jail in this county is in good condition. Number of prisoners on October 1, 1897, was 15. The average number for the year, 12. The county pays \$4.20 for board of prisoners, which is the highest in the State, and should be reduced. No labor is carried on in the jail. No separation of young and old offenders. Religious services are conducted by the Methodist church, and are well liked by the prisoners. The average length of sentence to the jail is 30 days.

MONROE COUNTY.

Jail at Rochester. Report by co-operative committee. The jail is in good condition. The number of prisoners on October 1, 1897, was 60, of which two were boys. The county pays \$2.75 per week for board of prisoners. There is no labor in this jail. There is adequate separation of young and old offenders and of male and female prisoners. Religious services are conducted in the jail and are well liked by the inmates. This jail is only used as a place of detention; convicted prisoners are sent to the penitentiary.

MONTGOMERY COUNTY.

Jail at Fonda. Report by co-operative committee. This jail is in fair condition. The number of prisoners on October 1, 1897, was 50. The average number through the year was about 50. The county pays \$3.01 per week for board. This is one of the counties that believes in working its prisoners and they have established a stone breaking yard with good results. The separation of young and old offenders is not complete. No religious services in this jail. The average length of sentence is 30 days.

ONEIDA COUNTY.

Utica. Report by co-operative committee. This is one of the large jails in the State. There were 770 prisoners on October 1, 1897, of which 32 were boys. The county pays \$2.45 for board per week. No labor in separation of young and old offenders and of male and female prisoners is complete. Religious services are conducted by T. U. and are well liked by the prisoners on account of interest taken in them by the person conducting them. The length of sentence is 30 days.

ONONDAGA COUNTY.

Syracuse. Report by co-operative committee. This is one of the worst in the State; with its construction and its unsanitary condition it should be torn to the ground and a new building with all the improvements put in its place. Number of prisoners on October 1, 1897, was 42. The average number for the year is 40. There is no labor in this jail. Religious services are conducted in the jail by the Rev. J. B. Foote, D. D., and are liked by the prisoners. This is another of the jails where no prisoners are employed, but is only used for those awaiting trial and held for process.

ORLEANS COUNTY.

Orleans. Report by co-operative committee. This jail is in bad condition. The number of prisoners on October 1, 1897, was 100. The county pays for board of prisoners per week, \$3. No labor in this jail. No adequate separation of young and old offenders.

and old offenders. Religious services conducted in the jail by the W. C. T. U. are liked by the prisoners. The average length of sentence is 60 days.

OSWEGO COUNTY.

Jail at Oswego. Report by co-operative committee. This jail is in good condition. There were 58 prisoners on October 1, 1897, of which three were boys. The average number throughout the year is 30. There is no labor in this jail. Separation of young and old offenders is inadequate. The jail is not very safe as there has been one escape during the year. Religious services are conducted by the Rev. Mr. Mead and the Rev. Mr. Clark; some of the prisoners like them and some don't. The average length of sentence is about sixty days.

OTSEGO COUNTY.

Jail at Cooperstown. Report by co-operative committee. The general condition of this jail is good. There have been no escapes during the year. Only 8 prisoners on October 1, 1897. The county pays \$3 per week for board of prisoners. There is no labor in this jail. No religious services. The average length of sentence is about thirty days.

ST. LAWRENCE COUNTY.

Jail at Canton. Report by co-operative committee. This jail is in fairly good condition; improvements and repairs are to be made the coming summer and it is to be hoped that there will be no better jail in the State. Num-

ers on October 1, 1897, was 27. The cost to the board of prisoners is \$3 per week. The average number for the year about thirty. There is no systematic jail; the prisoners are worked on the roads if the weather is favorable. There is no adequate separation of young and old. One prisoner escaped during the year while on the roads. Religious services are conducted in the various churches and are well liked by the prisoners.

STEUBEN COUNTY.

Watkins. Report by co-operative committee. The number of prisoners in this jail on October 1, 1897, was 6, of which 6 were boys. The average number per year was 12. The county pays \$2.75 per week for board of prisoners in this jail and by this means seem to keep down the tramp population of the jail. Religious services are conducted by the Y. P. C. E. and are liked by the prisoners. The average length of sentence is 50 days.

WYOMING COUNTY.

Warsaw. Report by co-operative committee. This is one of the worst in the State and is in a very bad condition. The county ought to be ashamed to build a new one. The number of prisoners on October 1, 1897, was six, of which two were boys. The county pays \$4 a week for board of prisoners; about as much as it pays at a boarding house, out of which his landlady takes for food, gas and fuel, which in the case of the sheriffs of other counties is furnished free. There is no labor in the jail. Separation of young and old is inadequate. Occasional

religious services are conducted by the Methodist church. The average length of sentence is 59 days.

The following is a clipping from a county newspaper, published at Warsaw, N. Y.:

THAT POOR OLD JAIL.

Every little while that dilapidated old ramshackle building on Court street, known as the Wyoming County Jail, receives a little attention from the grand jury and its excellent appointments commented upon. The last grand jury looked into it. The twenty-two men, tried and true, drawn from the selected lists named by the supervisors, went through and peeked into all the corners and nosed around, and this is what they reported:

The grand jury have visited and inspected the county jail and the sheriff's apartments attached and find that said buildings are kept in as good condition for the inmates as is possible with the means at command. We find the buildings old and clearly out of date for modern requirements, being rotten, unwholesome and unfit for human habitation. We think it unwise as a financial measure to recommend any general system of repairs and believe that the best interests of the county would be conserved by the erection of entirely new jail buildings and this grand jury condemn the present and former boards of supervisors for having taken no adequate action for the erection of new jail buildings.

Thomas R. Buell of Perry, Fayette Richardson of Java, J. N. Witherel of Arcade, J. C. Gardner of Attica, H. C. Lathrop of Pike and William H. Clark of Covington are chosen to present the foregoing report and to urge upon the board the necessity of its taking immediate action for the building of a new jail and apartments for the sheriff.

WILLIAM H. CLARK,

Foreman.

the grand jurors had no respect for age, despite the
re were some gray hairs among them. Don't they
e jail is one of the ancient landmarks of the county?
led to veneration on account of its age? It was
ago that all record has been lost, and there are no
ments to attest its cost. It is ancient, if not honor-
rse it is not fit to keep prisoners in, to say nothing
or the residence of this sheriff, but what does the
of a place for prisoners anyway? Wouldn't it be
better not to have any? It costs the county some-
d them, even in the present jail. Certainly it would
f they were incarcerated in a building fit for human
Of course it is not of any interest to Warsaw for it
that any Warsaw prisoners are confined within it.
er directly to Warsaw people whether the health of
is injured by their unfit quarters or not, for practi-
prisoners come from other towns. Of course War-
re humane in their sentiments and deplore such a
affairs, but if any move is to be made to remedy ex-
hey prefer it should emanate from outside.

Police Matrons.

It has been our good fortune, for the last two years, to have the co-operation of the woman's prison reform committee of the New York monthly meeting of Friends, in the matter of inspecting station houses. Asking for their report this year to incorporate with ours, we have received the following letter from the chairman, Mrs. Anna M. Jackson, with which we most fully agree:

NEW YORK, *March 26, 1898.*

William M. F. Round:

My Dear Sir.—Your note is just received, and I reply at once, as requested.

The position of our committee is made plain, I think, in the last report which you printed for us.

First. We do not think more police matrons necessary.

Second. We believe women, when first arrested, should be taken to a station house where there is a matron; and not, as now, to the station house to which the man arresting her, belongs.

The present custom makes possible many of the abuses complained of when there were no matrons. It requires only some changes of police regulations to be practicable to change at once.

Truly yours,

(Signed)

ANNA M. JACKSON.

Relief.

MENTIONS AND DISCHARGED CONVICTS.

of work of the Prison Association has been carried on for three years, and while it is discouraging in its results at the same time it has a bright and encouraging side that more than compensates for the efforts made. The association has been the means of saving hundreds of men from lives of crime, of making many convicts self-sustaining, of liberating many innocent persons from prison, of reclaiming many a youthful first offender from a life of crime, and has had the satisfaction of providing necessities and clothing to many innocent families of prisoners. In all, the real sufferers for crime are the blameless wives and children of criminals. The criminal is comforted and fed, his work, under the present system, is provided for, and unless he is sensitive, he has nothing on his mind. The kind must bear as best they can the scorn of neighbors and the bitter burden of poverty and disgrace. Their struggles are usually borne in silence and without complaint, they shrink from letting the world know the cause of their troubles. The relief work of the association is, in many respects, absolutely different from that of any other charitable

ANNUAL REPORT OF THE

anization. Conditions must be met and obstacles overcome to any but experienced workers among prisons and prisoners would be well nigh impossible. The prejudice that exists in the public mind against the class of people with whom the association has to labor makes the work difficult at all times, and it may be said with certainty that such a work will never become very popular one. Still the work has been carried forward, year by year, and gradually a portion of the community is beginning to understand; first, that the Prison Association is not prosecuting a sentimental work among incarcerated prisoners, encouraging them in the belief that they are deeply wronged by society and aiding them by providing free counsel to escape their hardships, etc., but that all cases are subjected to most rigid investigation, touching character and habits of the prisoner and that reports made to the courts are in accordance with the facts disclosed by such inquiries rather than by the statements of prisoners themselves. Discharged prisoners are made to understand that the association does not exist for the purpose of giving them board and lodging or, in other words, paying them to be idle, but that all the energies of its relief department are directed toward enabling the discharged prisoner to lose his identity as such and become merged into society. The association's charter says in section 1, article III, that one of its objects shall be "the support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform." Experience has taught us that to help men to help themselves is the only way to do effective work among discharged prisoners. The labor test for all applicants, which has been fully described in the association's reports during the past few years, is still

and its results are very satisfactory. It enables the charge to learn, beyond a doubt, whether the applicant is an ex-convict who would use the association's bounty on himself until an opportunity for a new crime presents itself, or a penitent first offender who fully realizes his situation and is willing to do anything that will enable him to leave for good, all that suggests the mistake that has been made. One of the most important adjuncts of the association's work is the clothing closet. It puts new life and vigor into a poor fellow who, formerly and comfortably clad in clean clothing, he can now appear before employers of labor with confidence that his appearance will hold him.

It is usual to relate some penal institutions permit men to be out in the depth of winter, wearing straw hats that they wear in summer and frequently with no outer covering over the upper parts of their bodies, than waistcoats. It is also usual to permit them to wear their own shoes in the service and turn them loose with footwear worn to almost

the association gladly helps such men and their expressions of appreciation touching.

It is to impose upon this part of the work by unworthy persons are numerous but experience has taught the agent to guard against them.

It is furnished to mechanics who have secured work, but is also applied to those in search of situations, for obvious reasons. During the year 27 men have been supplied in this

When a man is released to home, friends or employment is provided, and the discharged prisoners sent to communities

where they have no claim to residence or citizenship or to search for employment. As has been said so many times in published reports the Prison Association exists as a factor in aiding men to help themselves and who find themselves handicapped in the struggle of life by previous prison experiences and who earnestly desire to lead better lives. To such it always lends a helping hand.

A few cases illustrative of the work are appended:

A——— D——— was referred to the association by a Baptist minister to whom he applied for help after having served a short sentence in a New Jersey prison. He asked to be sent to a city in Pennsylvania, where he could get work; after an inquiry he was sent via Pennsylvania railroad. He promised to let us know how he succeeded and a letter was received from him which says:

March 14th.

"I arrived here safe on Saturday and was fortunate enough to find employment on the following Tuesday. Times are very dull here and consequently wages are low, but still I am getting \$10 per week, and am promised a raise as soon as business picks up a little. I am still continuing to trust in the Lord and He does give me strength to overcome temptation and I intend by His help to live an honest, upright christian life to the end of my days. I again thank you for all your kindness to me and hope and pray God's blessing to rest upon the work your society is doing.

I remain yours truly,

—————."

K——— T——— was sent to the association in October by Com. Brutis of Brooklyn, and was given temporary work about the building. He declined for a long time to say anything of his

His prison record showed that he had served a year in County Penitentiary for assault. After some time he had been for years the representative in Chicago of a New York and Paris banking house at a salary of \$4,000 a year. He had lost his place through drink and had finally become a vagrant while under the influence of liquor, and realizing anything of his past, had been sent to the penitentiary. It did not take long to see that he was a deserving man. It was told that efforts would be made to get him some employment. He was rising to say he refused any aid in this direction. He was referred to help himself in some way rather than become a beneficiary of this association and therefore, as a convict he was given the best outfit of clothing at the prison, including a good overcoat, temporarily employed for a few weeks, and in a short time said that he had accepted the place as an overseer over some night watchman at a salary of \$100 a week on a railroad. The work would last three months and with what he could save out of that he would go to San Francisco where he would meet some of his friends on an equal footing and soon regain his lost position.

I——— a newspaper man who had been coming to New York for relief and was given temporary employment on search of something permanent. He found it impossible to get work in New York on account of having been in the penitentiary. His giving satisfactory evidence that he had a good character there, he was sent via B. & O. R. R. to a west-

The following letter soon after reaching home:

"Dear Sir.—I reached here safely after an uneventful trip, but a pleasant one, withal. I was warmly welcomed by my sister and her husband and am comfortably domiciled in a pleasant home and surrounded once more with home comforts.

"I am very grateful to you and the association you represent for the kindness that made it possible for me to leave New York and rejoin my friends and relatives. I also wish to thank you for the kind treatment I received during the time I was under the care of the association and for the gifts of clothing, etc., that enabled me to present myself before my friends neatly and comfortably dressed. I was in sore straits when I applied to you, and almost desperate, and to your kindness and consideration I owe my present vastly improved condition. I hope at some future time to be able to repay you.

"With a grateful heart and best wishes for your personal welfare and that of the Prison Association, I remain,

Yours most truly,

—————."

H———— G———— a licensed drug clerk came to the office after having served a short time in prison for petit larceny committed while under the influence of intoxicants.

He said he was starving, half-frozen and hungry and had stayed away from the association as long as he possibly could because he did not like to be with men who had been in prison, but now he was desperate and must be relieved. He was given an outfit of clean clothing and in a few days secured work at his profession. He was deeply grateful for the help he received and called a number of times to tell how well he was getting along, but his satisfaction did not last long, for a few days later a man who knew of his trouble asked his employer if he knew he had

rd" in his store? When taxed with this by his admitted the truth and sought to explain but the not listen and turned him away.

he sought the association once more, was welcomed that we would again help him. For some weeks all fruitless but finally a place in the country was he was started again.

of the association in a case like the above is to igh" and any man who loses his situation through s being an ex-prisoner can always be sure of help at

Detentions.

The city prison, popularly known as "The Tombs," has been removed and a new ten-story prison is in process of construction on the site. For over half a century the various agents of the association have been going in and out of the old Egyptian building on missions of mercy and justice, extending a helping hand when possible to the unfortunates in the grim old prison and always doing little deeds of kindness on all sides even among the most depraved, for it must be borne in mind that the city prison is the great cess-pool of crime into which all the station houses and district prisons of the city turn the criminals and vagabonds who have been held for trial in the Magistrates courts.

The various portions of the prison known as the "old," "new," "boys" or "women's" are gone over by the agent in search of those who are deserving of and need the help of the association in some direction. Many find themselves in prison because of ignorance of the laws or ordinance of the State or city. To them the agent gives his first attention, as shown in the following instance:

B—I. ———— was brought into the old prison while the agent was standing near the desk where the "pedigrees" or records of prisoners are taken. It was noticed that the prisoner, a Russian Jew, was in great distress of mind over something and a number of policemen were having great sport jostling him about and making sport of his misery. He was unable to speak English but was nearly frantic with excitement. The agent took

interest in the proceedings, stopping the fun making creature's suffering and soon learned the story. had been fined five dollars for selling candy on the : a license. He had four dollars and a silver watch g to get someone to lend him a dollar on the watch : pay his fine and get out to save his little stock of all—as the officer had dragged him to court without me to cover them. His deficiency was made good the agent went into court, paid the fine and had the of seeing a man who was really grateful for what him. His arrest was witnessed by the janitor of a where the little stock of candies were kept, and really would be stolen if left exposed, he covered them saved the stock in trade of the poor man.

ders are as far as possible saved from the prison ing about suspension of sentence, discharge on or committal to an institution of a reformatory

———, a poor little fellow 18 years of age, was boys' prison charged with larceny. He was very on investigation it was found that he had been ay petty crimes and needed correction. On the mendation he was sentenced to the State Reformatory.

y it seems desirable to bring about suspension of hown by the following instance: A———R———, mployed in the editorial rooms of a city newspaper as He was sent after a sum of money by one of the foolishly showed it to some other boys who pernat then was his golden opportunity to secure wealth

by keeping the money and using it to go to the Klondike. He started for the gold fields but his money did not last till he got out of New York State and he soon found himself in the "Tombs." Inquiry as to his character and habits was made and the result was so satisfactory that it was deemed wise to recommend extreme leniency. A suspension of sentence was made by the court and the boy was discharged. He found a friend in a lady of this city who will send him west. There was nothing criminal or vicious about the boy, he was simply easily influenced and it is

It becomes my very pleasant duty to thankfully acknowledge will power.

It becomes my very pleasant duty to thankfully acknowledge many favors extended to the association in the prosecution of its labors in courts and prisons by the judges of the courts of General and Special Sessions, the officials in the office of the district attorney, in the city prison and district prisons.

The work we are trying to do is appreciated by these gentlemen and they realize that to help the Prison Association is to make their own work less burdensome.

Respectfully submitted,

D. E. KIMBALL,

Agent.

| APPLICATIONS FOR RELIEF. | | | | | | | | WHOLE NUMBER ASSISTED—KIND OF RELIEF GIVEN. | | | | | |
|--------------------------|-------------------|----------------|-----------------|----------------|--------------------|----------------------------|--------|---|-----------------------|----------|---------------------------------|-----------|--------|
| New York penitentiary. | Sing Sing prison. | Auburn prison. | Clinton prison. | Other prisons. | State reformatory. | Kings county penitentiary. | Total. | Temporary work. | Permanent employment. | Clothed. | Number of garments distributed. | Lodgings. | Meals. |
| 26 | 10 | 4 | 2 | 4 | 19 | 1 | 66 | 102 | 9 | 15 | 37 | 120 | 315 |
| December, 1896..... | 4 | 2 | 4 | 6 | 14 | 1 | 55 | 96 | 7 | 35 | 104 | 93 | 249 |
| January, 1897..... | 12 | 8 | 4 | 8 | 10 | 4 | 86 | 159 | 5 | 53 | 218 | 153 | 390 |
| February, 1897..... | 26 | 14 | 10 | 4 | 15 | 4 | 79 | 105 | 7 | 26 | 111 | 118 | 315 |
| March, 1897..... | 20 | 10 | 6 | 1 | 20 | 2 | 60 | 124 | 10 | 24 | 67 | 133 | 366 |
| April, 1897..... | 18 | 4 | 4 | 2 | 7 | 7 | 39 | 107 | 3 | 16 | 38 | 129 | 338 |
| May, 1897..... | 15 | 8 | 2 | ..... | 37 | 6 | 75 | 75 | 18 | 10 | 27 | 71 | 159 |
| June, 1897..... | 24 | 8 | 4 | 8 | 15 | ..... | 59 | 95 | 7 | 28 | 95 | 99 | 198 |
| July, 1897..... | 10 | 6 | 4 | 8 | 12 | 2 | 32 | 94 | 1 | 7 | 14 | 112 | 260 |
| August, 1897..... | 10 | 10 | 4 | 4 | 19 | 6 | 63 | 110 | 9 | 4 | 11 | 146 | 371 |
| September, 1897..... | 10 | 12 | 2 | 6 | 10 | 4 | 46 | 95 | 5 | 11 | 31 | 147 | 377 |
| October, 1897..... | 10 | 2 | 8 | 6 | 1 | 6 | 33 | 107 | 4 | 8 | 27 | 133 | 358 |
| Total..... | 234 | 33 | 60 | 57 | 169 | 40 | 693 | 1,269 | 85 | 237 | 790 | 1,445 | 3,696 |

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